

Part B State Annual Performance Report (APR) for FFY 2008**Overview of the Annual Performance Report Development:**

The February 1, 2010, Annual Performance Report under Part B of IDEA serves as Montana's accountability report on its performance relative to state performance targets identified in its State Performance Plan (SPP) submitted to the Office of Special Education Programs (OSEP) in the U.S. Department of Education on December 2, 2005. The Annual Performance Report contains actual target data from the FFY 2008 reporting period (July 1, 2008-June 30, 2009) and other responsive APR information for indicators 1-3, 4A, 5, 8-12 and 15-20.

A copy of the State Performance Plan is available on the Office of Public Instruction's (OPI) Web site at www.opi.mt.gov/Programs/SpecialEd/Index.html. The State Performance Plan was revised in January 2010 to include baseline data, targets, and improvement activities for performance indicator seven and other revisions, as indicated, under selected performance indicators in the Annual Performance Report. Revisions to the State Performance Plan appear in bold print and are identified as being revised.

In the development of the Annual Performance Report and new State Performance Plan indicators, the OPI staff collected data from the multiple data collections currently implemented by the OPI, worked collaboratively with the Director of the Part C program to collect data for children who are referred by Part C to Part B for determination of eligibility for services under IDEA Part B, and conducted an analysis of the data through review of performance at both the state and LEA levels. Following this review, and to ensure broad stakeholder involvement, the data, its analysis, and improvement activities were shared and discussed with the state Special Education Advisory Panel on January 14-15, 2010. The Panel carefully reviewed and discussed the performance data for each of the indicators, old and new, including any progress or slippage. Proposed revisions and the rationale for the proposed revisions to the State Performance Plan were discussed with the Panel. The Advisory Panel passed a motion that they approved the proposed revisions to the State Performance Plan and of the improvement activities. Panel recommendations were incorporated in the State Performance Plan and Annual Performance Report.

Data Collection and Reporting

The Office of Public Instruction has revised portions of its electronic data collection and reporting system to ensure the collection of valid and reliable district-level data. Technical assistance guides, video streaming, and 'on time' technical assistance are made available to LEAs to ensure school personnel have the necessary information to submit valid and reliable data. Data verification procedures, at the state level, are also implemented to ensure the collection and reporting of valid and reliable data. In addition, the OPI is working with a vendor to design a student-based reporting system that will be the single reporting system for all student-level data.

Statistical Methods Used

To ensure statistically sound data when assessing the state's progress in meeting its established performance target, a minimum number (N) and/or confidence intervals are applied to reduce the effect of small sample sizes on the determination of performance. Montana is considered a frontier state with an exceptionally low-density population and a large number of rural schools. Fifty-six percent of our schools have fewer than 100 students enrolled. Eighty-four percent of Montana's districts are eligible under the Small, Rural School Achievement Program (SRSA). Results based on small sample sizes have a wider margin of error than those based on large sample sizes. In other words, the larger the sample size, the greater the likelihood that the data are representative of the population and not due to random factors unrelated to student characteristics or educational programs, known as measurement or sampling error. The use of the minimum N and confidence intervals is intended to improve the validity and reliability of target determinations by reducing the risk of falsely identifying the state as having failed to meet its target, based on measurement/sampling error.

Dissemination of the State Performance Plan and Annual Performance Report to the Public

The February 1, 2010, Annual Performance Report and revised State Performance Plan will be made available to the public via the OPI Web site at www.opi.mt.gov/Programs/SpecialEd/Index.html by no later

than March 1, 2010. An electronic announcement of the report with links to the State Performance Plan and Annual Performance Report will be sent to authorized representatives of the LEAs, directors of special education, to the parent training and information center, PLUK, to Disability Rights Montana (DRM) and to state and regional CSPD Council members. Hard copies of both documents are given to members of the state Special Education Advisory Panel.

Annual Report to the Public Regarding the Measurable and Rigorous Targets

In accordance with 20 U.S.C. 1416(b)(C)(ii), the OPI will report annually to the public on the performance of each local educational agency (LEA) on the targets in the State Performance Plan. The report on performance of LEAs will be made available to the public on the OPI Web site at <http://data.opi.mt.gov/SPEDReporting/> no later than June 1, 2010. The OPI will not report any information on performance to the public that would result in the disclosure of personally identifiable information about individual children or data that is insufficient to yield statistically reliable information.

The LEA performance results are incorporated as a part of the IDEA Consolidated E-Grants system. If an LEA has failed to meet a performance target, the LEA is required to identify an improvement activity(ies) it will conduct that will result in improved performance.

Questions regarding this report should be directed to the OPI, Division of Special Education, at 406-444-5661.

Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: FAPE in the LRE

1. **Indicator 1:** Percent of youth with IEPs graduating from high school with a regular diploma.

(20 U.S.C. 1416 (a)(3)(A))

Measurement: States must report using the graduation rate calculation and timeline established by the Department under the ESEA.

$$\text{Graduation Rate} = \frac{g}{c + g + d^{12}_t + d^{11}_{(t-1)} + d^{10}_{(t-2)} + d^9_{(t-3)}}$$

Where:

- g= # graduates receiving a standard high school diploma in the standard # of years
- c= completers of high school by other means (includes # graduates receiving a standard high school diploma in more than the standard # of years and starting with the 2004-05 AYP determinations, district-approved GEDs)
- t= year of graduation
- d= dropouts
- 12, 11, 10, 9 = class level

Example:

The 2007-08 Graduation Rate for students with disabilities =
 731 "On-time" Graduates for Class of 2008 divided by
 (268 students with disabilities dropped out over four years
 plus 11 Not "On-time" Graduates for the Class of 2008
 plus 731 "On-time" Graduates for the Class of 2008)
 multiplied by 100 = 72.4%

FFY	Measurable and Rigorous Target
2008	Given a minimum N of 10, students with disabilities will meet an 80% graduation rate, within a 95% confidence interval.

Actual Target Data for FFY 2008:

Montana's U.S. Department of Education-approved high school graduation rate is an estimated cohort group rate. This estimated cohort method utilizes both dropout and graduate data and uses data from four consecutive years. Graduation rate, defined as "the percentage of students who graduate from secondary school with a regular diploma in the standard number of years" (i.e., "on-time"), is the required additional indicator for public high schools in Montana's AYP determinations.

Target data for FFY 2008 for special education graduation rates are provided in Table 1.1 below. The data used is for the 2007-2008 school year.

Table 1.1 Montana Graduation Rates for School Year 2007-2008

School Year	Graduate Count for Special Education ¹	Total Special Education School Leaver Cohort ²	Graduation Rates for Special Education
	A	B	% = A / B
2007-2008	934	1216	76.8%
¹ Special Education Graduates are the count of individuals who: 1) completed the high school graduation requirements of a school district, including early graduates, during the previous school year or 2) completed the high school graduation requirements of a school district at the end of summer prior to the current school year.			
² Special Education School Leaver Cohort Total = The number of students with disabilities graduating in the 2007-2008 school year plus the number of dropouts and other completers of high school. Other high school completers include graduates receiving a standard high school diploma in more than the standard number of years and students receiving district-approved GEDs.			

For FFY 2008, the data indicate that the school leaver cohort was 1,216 students with disabilities. Of this cohort, 934 students with disabilities graduated high school with a regular diploma. The result is a graduation rate of **76.8** percent for students with disabilities.

Trend data is not provided at this time due to a change in the measurement of this indicator. In prior years, graduation rate calculation used the Part B 618 data and a leaver graduation rate formula as recommended by Westat. Part B 618 exiting data is a 12-month reporting year, collected at the end of June. The requirement to use the same graduation rate calculation and timelines as ESEA requires us to use a different set of data. The ESEA data collection is collected annually in October for the previous year. The difference in data collection timelines prevents us from making comparisons of the graduation rate for students with disabilities from prior years.

Assessing State Progress in Meeting the FFY 2008 Performance Target

The data in Table 1.2 below demonstrates Montana's progress in meeting its performance target for FFY 2008.

Table 1.2 Montana Performance Target Status for FFY 2008

School Year	Graduation Rate for Special Education	Confidence Interval - High	Confidence Interval - Low	SPP Performance Target for FFY 2008	State Performance Status
2007-2008	76.8%	79.1%	74.4%	80.0%	Did Not Meet Target

The FFY 2008 target for this indicator is **80 percent**, given a minimum N of 10 and within a 95 percent confidence interval. In comparing the established performance target to the range of values in the confidence interval, the performance target is greater than the upper limit of the confidence band. We can conclude that the FFY 2008 graduation rate for students with disabilities of **76.48 percent** is significantly lower than the performance target. Therefore, Montana **has not met its performance target** of 80 percent, within a 95 percent confidence interval.

Lea Review

Montana conducted a review of 162 LEAs that serve high school students to determine whether the LEA graduation rate met the state's established performance target for FFY 2008. Table 1.3 below presents the results of this review.

Table 1.3 Montana LEA Performance Review Results for FFY 2008

School Year	Number of LEAs With Exiting Data (a)	LEAs With Minimum N of 10 (b)		LEAs With Minimum N of 10 Meeting State Performance Target (c)		LEAs With Minimum N of 10 Not Meeting State Performance Target (d)	
		#	% = (b/a) * 100	#	% = (c/b) * 100	#	% = (d/b) * 100
2007-2008	123	31	25.2%	26	83.9%	5	16.1%

As Table 1.3 above indicates, 123 of the 162 LEAs serving students with disabilities, ages 14-21, reported students with disabilities leaving school over a four-year period. Of the 123 reporting LEAs, **25.2** percent have a school leaver count that met the minimum N of 10 necessary to yield statistically reliable information.

For the 2007-2008 school year, **83.9** percent of the LEAs, with a minimum N of 10, MET the state's performance target, while **16.1** percent did not. The graduation rates for the five LEAs that did not meet the state's performance target range from a low of 45.8 percent to a high of 72.5 percent.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:

Montana did not meet its performance target for this indicator. As was discussed above, Montana adopted the ESEA graduation rate calculation and targets for this indicator as required by the Office of Special Education Programs (OSEP). Because of these changes, the data reported here cannot be compared to the data reported under this Indicator for previous years. This year is considered a new baseline year for the purposes of examining progress or slippage through trend analysis. The data reported for this indicator are for the 2007-2008 school year. This is the same school year that was reported in the FFY 2007 APR which was submitted in February 2009. Because of differences in data definitions and collection timelines some differences are noted between the data reported in the FFY 2007 APR and in this document. Despite these differences, both sets of data are valid based upon the differences in the requirements for collecting and reporting the data.

The OPI closely examines graduation rate data for all LEAs and continues to provide technical assistance to LEAs to improve graduation rates for students with disabilities. In the analysis above it was noted that five LEAs were identified which did not meet the graduation rate target. Several of these LEAs have been identified as turn-around schools under the ESEA and the OPI was working closely with those LEAs on improvement efforts involving all divisions within the office.

The OPI uses an electronic grants management system that is known as EGrants. The LEAs annually apply for funds under IDEA using this system. As a portion of the required application, each district must complete a series of objectives related to the LEA's performance relative to each SPP performance indicator. In this system, any LEA that does not meet the statewide target for this indicator must indicate as a part of the annual application what activities will be undertaken to address the particular issue. For example, the five (5) LEAs that did not meet the target for graduation rates will have indicated in the annual application what activities they will use to increase the graduation rate for students with disabilities.

Improvement Activities Complete:**1. Conduct data analysis comparing data collected through current collections and the statewide data system (SERIMS) to ensure validity and reliability of SERIMS data.**

The Office of Public Instruction (OPI) completed the third year of implementation of the statewide student information system, Achievement in Montana (AIM). This system is the general education record system that collects census, demographic and assessment data for all students. The Special Education Module is a tool within the AIM system that was developed by the Special Education Division staff in collaboration with the software vendor. This module contains all special education forms and will serve as the data collection tool for special education. During 2008-2009 Special Education Division staff began providing training to Montana educators on the use of the Special Education Module. This training will be completed during the 2009-2010 school year. The LEAs will be required to use the Special Education Module for all documentation during the 2009-2010 school year.

Currently, special education data (Child Count, Exiting, etc.) are collected through several web-based applications that the OPI has used for a number of years. These collections all include edit checks and other built-in validation measures. These collections have served the OPI well in ensuring that valid and reliable data are collected. With the roll-out of the AIM Special Education Module, the Data and Accountability Unit of the Special Education Division began conducting comparison studies to identify any potential validity problems so that solutions can be identified and implemented prior to the AIM system being used for all data collection.

2. Through the Montana Behavioral Initiative (MBI) provide training to LEA staff regarding improving school climate, instructional techniques, and implementing schoolwide approaches to positive behavioral intervention and support.

The OPI continued its long-term support of the Montana Behavioral Initiative (MBI) project. This project is Montana's Positive Behavior Intervention and Supports (PBIS) initiative which had been in place for more than 15 years. The MBI project provided training for LEA staff through two projects. First, the MBI Summer Institute is held each June. In June 2008 the Summer Institute attracted over 600 attendees from across Montana. These attendees received a week-long series of workshops in topics such as PBIS, RTI, changing school climate, and improving instructional techniques.

The second prong of MBI is at the LEA level. Approximately 90 of Montana's LEAs have enlisted to be "MBI Schools." These schools are provided with intensive team training and support in implementing PBIS initiatives with their schools. Each LEA is provided with an MBI Consultant to facilitate the implementation process with the schools and to assist in gathering data.

3. Through the Montana Behavioral Initiative (MBI) Youth Days, provide training to youth in character education and service learning.

Another component of the MBI is the MBI Youth Days. Youth Day activities bring together students from across Montana in a series of regional meetings. The Youth Day activities focused on character education and service learning and resulted in the teams of students creating action plans for their schools regarding the implementation of the MBI process. These workshops address leadership skills, asset building and bullying prevention through student-directed activities.

4. Provide professional development opportunities to enhance LEA's knowledge and implementation of effective strategies to improve graduation rates.

The OPI continued to support its strong Comprehensive System of Personnel Development (CSPD) system to provide targeted professional development activities to LEA staff. The OPI Special Education Division staff continued to work with the five (5) regional CSPD councils to improve the connection between the data analysis for the APR and the professional development activities offered in each region. The OPI staff, together with the CSPD councils, continued to refine the data collection process used to gather information regarding training outcomes. These activities will allow the OPI to more closely examine the relationship between training activities and the APR Indicators.

5. Continue to provide professional development, technical assistance and support to LEAs in the development of transition services as a part of students' IEPs.

The OPI continued to provide intensive professional development opportunities for LEAs throughout the state during the 2008-2009 school year. The Special Education Division staff travelled to LEAs throughout the state providing on-site training and technical assistance to LEA staff regarding the transition requirements of IDEA and effective methods to meet each of the requirements. In addition to these on-site activities, the OPI staff developed and made available a number of web-based training materials. These materials are available at: www.opi.mt.gov/Programs/SpecialEd/Index.html#gpm1_12.

In addition, the OPI co-sponsored, with the Governor's Office, the statewide Youth Transition Conference which brings together professionals from all the various agencies and service providers involved with youth.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008:

[If applicable]

Because of the required use of the ESEA graduation rate calculation and targets, the OPI has revised its State Performance Plan (SPP) to reflect the new calculation and targets for the FFY 2008 through FFY 2010 years. The SPP has also been updated to reflect the new Indicator Language "Given a minimum N of 10, students with disabilities will meet an 80 percent graduation rate, within a 95 percent confidence interval."

The revised State Performance Plan can be found at: www.opi.mt.gov/Programs/SpecialEd/.

Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: FAPE in the LRE

Indicator 2: Percent of youth with IEPs dropping out of high school.

(20 U.S.C. 1416 (a)(3)(A))

Measurement: States must report using the dropout data used in the ESEA graduation rate calculation and follow the timeline established by the Department under the ESEA.

The calculation method used in this report is an event rate (snapshot of those who drop out in a single year) adapted from the National Center for Education Statistics (NCES) at the U.S. Department of Education and is consistent with the requirements of the NCES Common Core of Data (CCD) reporting.

Dropout Rate calculation:

Dropout Rates are calculated by dividing the number of special education dropouts, grades 7-12, by the number of students with disabilities, grades 7-12, enrolled in school as of the first Monday in October.

$$\frac{\text{Number of special education dropouts, grades 7-12}}{\text{Number of students with disabilities enrolled in school as of October 1, grades 7-12}}$$

FFY	Measurable and Rigorous Target
FFY 2008	Given a minimum N of 10, decrease the dropout rate of students with disabilities to 5.1 % within a 95% confidence interval.

Actual Target Data for FFY 2008:

The data source and measurement for this indicator has been revised to align with the ESEA reporting timelines and dropout rate calculation. There is a one-year data lag for this indicator. Therefore, data is from the 2007-2008 school year. Target data for FFY 2008 for special education dropout rates are provided in Table 2.1 below.

Table 2.1 Montana Dropout Rates for School Year 2007-2008

School Year	Special Education Dropout Count, Grades 7-12 ¹	Special Education Student Count, Grades 7-12 ²	Special Education Dropout Rate
	A	B	% = A / B
2007-2008	346	7626	4.5%
¹ Special education dropouts are reported for grades 7-12 each October.			
² Special education student count is the count of students with disabilities, grades 7-12, reported during the October enrollment count.			

For the 2007-2008 school year, 7,626 students with disabilities, in grades 7-12, were reported as enrolled in the school as of the first of October. Of these students, 346 were reported as dropping out of school. The result is a dropout rate of **4.5 percent** for FFY 2008.

Trend data is not provided at this time due to a change in the data source for this indicator. In prior years, the dropout rate calculation used the Part B 618 data. Part B 618 exiting data is a 12-month reporting year, collected at the end of June. The requirement to use the same dropout rate calculation and timelines as ESEA requires us to use a different set of data. The ESEA data collection for dropouts is collected annually in October for the previous year. The difference in data collection source and timelines prevents us from making comparisons of the dropout rate for students with disabilities from prior years.

Assessing State Progress in Meeting the FFY 2008 Performance Target

The data presented in Table 2.2 below is used to assess Montana's progress in meeting its FFY 2008 performance target for the dropout rates of students with disabilities. The state set a target, based on a sample size of a minimum N of 10, of decreasing the dropout rates of students with disabilities to 5.1 percent for FFY 2008, within a 95 percent confidence interval. When assessing Montana's progress in meeting its established performance target, a minimum N of 10 and a confidence interval is applied to reduce the effect of variability due to small sample sizes.

Table 2.2 Montana Performance Target Status for FFY 2008

School Year	Special Education Dropout Rate	Confidence Interval - High	Confidence Interval - Low	SPP Performance Target for FFY 2008	State Performance Status
2007-2008	4.5%	5.0%	4.1%	5.1%	Met Target

Target data for FFY 2008 indicate the dropout rate for students with disabilities is **4.5 percent** and the established performance target for FFY 2008 is 5.1 percent. In comparing the established performance target to the obtained dropout rate, we see that the dropout rate is lower than the established target. Therefore, given a sample size of a minimum N of 10, Montana has **met** its performance target within a 95 percent confidence interval.

LEA Review

Montana also conducted a review of 422 LEAs in Montana to determine whether the LEA dropout rates met the state's established performance target for FFY 2008. The results of this review are presented in Table 2.3 below.

Table 2.3 Results of Review of Montana LEA Performance for FFY 2008

School Year	Number of LEAs With Students With Disabilities, Grades 7-12 (a)	LEAs With Minimum N of 10 (b)		LEAs With Minimum N of 10 Meeting State Performance Target (c)		LEAs With Minimum N of 10 NOT Meeting State Performance Target (d)	
		#	%=(b/a)*100	#	%=(c/b)*100	#	%=(d/b)*100
2007-2008	326	144	44.2%	132	91.7%	12	8.3%

In FFY 2008, there were **326** LEAs reporting students with disabilities in grades 7-12 for the 2007-2008 school year. Of these LEAs, **144** had a minimum N size of 10 in order to calculate a dropout

rate. The result is 132 LEAs (**91.7 percent**) met the state's performance target while 12 LEAs (**8.3 percent**) did not meet the state's performance target.

The following table (Table 2.4) presents the data on the LEA's that did not meet the state's performance target on special education dropout rates for FFY 2008.

Table 2.4 Montana LEAs Not Meeting the State Performance Target for FFY 2008

LEA	Size and Type of LEA	Count of Enrolled Students with Disabilities	Dropout Count for Special Education	Dropout Rate for Special Education
District 1	High School more than 1,250 students	695	50	7.2%
District 2	High School more than 1,250 students	537	40	7.4%
District 3	High School more than 1,250 students	364	29	8.0%
District 4	High School more than 1,250 students	164	14	8.5%
District 5	High School 401 to 1,250 students	102	10	9.8%
District 6	High School 401 to 1,250 students	57	8	14.0%
District 7	High School 76 to 200 students	33	5	15.2%
District 8	High School 201 to 400 students	26	4	15.4%
District 9	High School 201 to 400 students	30	5	16.7%
District 10	High School 76 to 200 students	20	4	20.0%
District 11	High School 76 to 200 students	10	2	20.0%
District 12	High School 76 to 200 students	28	7	25.0%

The data indicate a wide range of LEAs that did not meet the state's performance target for dropout rates. The size of the LEAs range from a school with more than 1,250 students to one with as little as 76 students. In addition, there is a wide range in the geographic location of the LEAs as well.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2008:

Montana met its performance target for the 2007-2008 reporting period. As was noted above, longitudinal data are not available for this indicator because of the change to the ESEA calculation and reporting timelines. Because of these changes, this year will serve as the new baseline year for trend analysis in the future. Despite these changes, Montana has continued to meet its target for this indicator.

An LEA-level review of the dropout rate data indicated that there were twelve (12) LEAs that did not meet the performance target for this indicator. This is up from one (1) LEA that was identified in the analysis used for the FFY 2007 APR submitted in February 2009. This is a reflection of the change in the calculation and timelines under ESEA. The OPI uses an electronic grants management system that is known as EGrants. The LEAs annually apply for funds under IDEA using this system. As a portion of the required application, each district must complete a series of objectives related to the LEA's performance relative to each SPP performance indicator. In this system, any LEA that does not meet the statewide target for this indicator must indicate as a part of the annual application what activities will be undertaken to address the particular issue. For example, the twelve (12) LEAs that did not meet the target for dropout rates will have indicated in the annual application what activities they intend to use to decrease the dropout rate for students with disabilities. Also, several of the LEAs that were identified as not meeting the target for this indicator are schools that are identified as turn-around schools under ESEA. The OPI Turnaround Schools project, which involved staff from all OPI divisions, worked closely with these districts to improve outcomes for all students.

Improvement Activities Completed:

1. Fully implement a student information system and special education records and information management system (SERIMS) to ensure collection of valid and reliable data.

The OPI completed the third year of implementation of the Achievement in Montana (AIM) student database system. This system is the general education record system that collects census, demographic and assessment data for all students enrolled in public schools. The Special Education Module is a tool within the broader AIM system that is used to develop and store students' special education records. The Special Education Division released the Special Education Module in January 2009 and immediately began providing training to LEA staff in the use of the tool. This training is expected to be concluded during the 2009-2010 school year and full implementation will be completed at that time. All special education records will be required to be in the system by the spring of 2010.

2. Through the Montana Behavioral Initiative (MBI) provide training to LEA staff regarding improving school climate, instructional techniques, and implementing schoolwide approaches to positive behavioral intervention and support.

The OPI continued its long-term support of the Montana Behavioral Initiative (MBI) project. This project is Montana's Positive Behavior Intervention and Supports (PBIS) initiative which had been in place for more than 15 years. The MBI project provided training for LEA staff through two projects. First, the MBI Summer Institute is held each June. In June 2008 the Summer Institute attracted over 600 attendees from across Montana. These attendees received a week-long series of workshops in topics such as PBIS, RTI, changing school climate, and improving instructional techniques.

The second prong of MBI is at the LEA level. Approximately 90 of Montana's LEAs have enlisted to be "MBI Schools." These schools are provided with intensive team training and support in implementing PBIS initiatives with their schools. Each LEA is provided with an MBI Consultant to facilitate the implementation process with the schools and to assist in gathering data.

3. Through the Montana Behavioral Initiative (MBI) Youth Days, provide training to youth in character education and service learning.

Another component of the MBI is the MBI Youth Days. Youth Day activities bring together students from across Montana in a series of regional meetings. The Youth Day activities focused on character education and service learning and resulted in the teams of students creating action plans for their schools regarding the implementation of the MBI process. These workshops address leadership skills, asset building and bullying prevention through student-directed activities.

4. Provide professional development opportunities to enhance LEAs' knowledge and implementation of effective strategies to decrease student dropout.

The OPI continued to support its strong Comprehensive System of Personnel Development (CSPD) system to provide targeted professional development activities to LEA staff. The five (5) regional CSPD councils presented professional development based on the needs of the LEAs in their regions. In addition, each CSPD region presented professional development activities based on an analysis of regional APR data provided by the OPI and on the results of the Levels of Determination for LEAs in the region. During the 2008-2009 school year the OPI continued its work with the CSPD regional directors to more closely align the professional development activities provided with the APR indicators. Each region worked to refine the collection outcome of data related to the professional development activities which will allow for closer examination of the effectiveness of the professional development.

5. Work with the parent information/training center, PLUK, to have parents become more involved in their child's education.

The OPI provided funding to Parents, Let's Unite for Kids (PLUK) to support the continued provision of training to parents and others regarding the requirements of IDEA and effective strategies for parents to participate in their child's education.

6. Continue to support Indian Education for All activities.

The OPI Special Education Division staff collaborated with the Division of Indian Education staff on the development and delivery of professional development related to the unique needs of Montana's American Indian students. An understanding of American Indian Culture and factors that lead to a higher dropout rate for American Indian students are felt to be a critical component in keeping students in schools. Data on American Indian students with disabilities who have dropped out of school is analyzed and shared with the Division of Indian Education. Special education staff analyzed data on American Indian students with disabilities to the Indian Education staff in designing activities to decrease the dropout rates of American Indian students.

7. The OPI will provide technical assistance to LEAs on child find practices to ensure that students who are having instructional or behavioral difficulty are fully included in effective child find activities.

The OPI Special Education Division staff provided technical assistance to LEAs through teleconferences, on-site visits, and presentations at educational conferences throughout the year. In addition, the OPI began a major training initiative on Response to Intervention (RTI). This project was built on the results of a RTI training pilot project conducted with four schools and grew to include teams from forty-four (44) elementary schools and twelve (12) middle and high schools. The project included eight (8) days of training for school teams, training for consultants for each school, and providing regular visits from the consultants to each school.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008

[If applicable]

Because of the required use of the ESEA dropout rate calculation and timelines, the OPI has revised its State Performance Plan (SPP) to reflect the new calculation and definitions for the FFY 2008 through FFY 2010 years.

The revised State Performance Plan can be found at: www.opi.mt.gov/Programs/SpecialEd/.

Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: FAPE in the LRE**Indicator 3:** Participation and performance of children with IEPs on statewide assessments:

- A. Percent of the districts with a disability subgroup that meets the state's minimum "N" size that meets the state's AYP targets for the disability subgroup.
- B. Participation rate for children with IEPs.
- C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

Measurement:

A. AYP percent = [(# of districts with a disability subgroup that meets the state's minimum "N" size that meets the state's AYP targets for the disability subgroup) divided by the (total # of districts that have a disability subgroup that meets the state's minimum "N" size)] times 100.

B. Participation rate percent = [(# of children with IEPs participating in the assessment) divided by the (total # of children with IEPs enrolled during the testing window, calculated separately for reading and math)]. The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

C. Proficiency rate percent = [(# of children with IEPs enrolled for a full academic year scoring at or above proficient) divided by the (total # of children with IEPs enrolled for a full academic year, calculated separately for reading and math)].

FFY	Measurable and Rigorous Target
FFY 2008 (2008-2009)	<p>A. Within a 95% confidence interval, 41% of districts will meet the state's overall AYP objectives for progress for the disability subgroup.</p> <p>B.1 Within a 95% confidence interval, 95% of students with disabilities will participate in the state-level assessment for Reading.</p> <p>B.2 Within a 95% confidence interval, 95% of students with disabilities will participate in the state-level assessment for Math.</p> <p>C.1 Within a 95% confidence interval, 33% of all students with disabilities tested will be proficient or above on state-level assessments in Reading.</p> <p>C.2 Within a 95% confidence interval, 33% of all students with disabilities tested will be proficient or above on state-level assessments in Math.</p>

Public Reporting Information: Public reports of AYP data, including assessment data, can be found on the OPI Website using the following link: www.opi.mt.gov/Reports&Data/Index.html#gpm1_9.

In addition, Indicator 3 assessment data for students with disabilities is included in the District Public Report located at <http://data.opi.mt.gov/SPEDReporting/>.

Actual Target Data for FFY 2008:

Indicator 3A – AYP Objectives

Target and trend data on the percent of LEAs that have a disability subgroup that meets the minimum N of 30 and meet Montana's overall AYP objectives for progress for the disability subgroup is provided in Table 3A.1 below. The data source for this data is now the AYP data used for accountability reporting under Title I of the ESEA. In order to meet the AYP target for the disability subgroup, the district must meet the ESEA benchmarks in BOTH reading and math. Therefore, the target is reported for overall (reading and math).

Table 3A. 1 LEAs Meeting Montana's AYP Objectives for Disability Subgroup Overall

School Year	OVERALL			
	Number of LEAs with a disability subgroup meeting Montana's minimum N size	Number of LEAs meeting Montana's AYP objectives for progress for students with IEPs	Percent of LEAs meeting Montana's AYP objectives for progress for students with IEPs	Indicator 3A Performance Target
2008-2009	68	6	8.8%	41.0%
2007-2008	70	31	44.3%	40.4%
2006-2007	56	28	50.0%	39.0%
2005-2006	57	23	40.4%	80.0%

Analysis of Target Data for FFY 2008 (2008-2009 School Year)

The data indicate that there are 68 LEAs that meet Montana's minimum N size of 30. Of those LEAs, only 6 meet the AYP objectives for progress for students with IEPs. This results in 8.8 percent of LEAs with a minimum N size of 30 meeting Montana's AYP objectives for progress for students with IEPs.

An analysis of trend data indicates a **decrease** in the number of LEAs meeting the minimum N size of 30 as well as meeting Montana's AYP objectives for the disability subgroup overall for the 2008-2009 school year.

Assessing State Progress in Meeting the FFY 2008 Performance Target for Indicator 3A

The data presented in Table 3A.2 below is used to assess Montana's status in meeting its FFY 2008 performance target for the percent of LEAs meeting the overall AYP objectives for progress for students with disabilities. The state set a target, based on a sample size of a minimum N of 30, of **41** percent of LEAs will meet AYP objectives for progress for students with disabilities, within a 95 percent confidence interval. When assessing Montana's progress in meeting its established performance target, a minimum N of 30 and a confidence interval is applied to reduce the effect of variability due to small sample sizes.

Table 3A. 2 Montana Performance Target Status for FFY 2007 – Indicator 3A AYP Objectives

School Year	Percent of Districts Meeting AYP Objectives	Confidence Interval - Upper Limit	Confidence Interval - Lower Limit	SPP Performance Target	State Performance Status
2008-2009	8.8%	17.9%	4.1%	41.0%	Did Not Meet Target

For FFY 2008, the percent of LEAs, who met the minimum N size of 30 for the disability subgroup, meeting overall AYP objectives for progress for students with disabilities, is **8.8 percent**. The established performance target is **41** percent. In comparing the performance target to the percent of districts meeting overall AYP objectives, we can conclude the obtained percent of LEAs meeting AYP

objectives is statistically lower than the state's performance target. Therefore, Montana has **not met** its performance target within a 95 percent confidence interval.

Indicator 3B – Participation Rates

Actual Target Data for FFY 2008 (2008-2009 School Year):

Table 3B.1 below presents participation rates of students with disabilities on state-level assessments. The data is by content area and for each grade assessed for FFY 2008 (2008-2009 school year). The data reported are based on Montana's Criterion-Referenced Test (CRT) and the CRT-Alternate (CRT-Alt) for the content areas of reading and math for Grades 3 through 8 and Grade 10.

Table 3B. 1 Participation Rates of Students with Disabilities in State Assessments for FFY 2008

Indicator 3B Measurement	2008-2009 Participation of Students with IEPs in Statewide Assessments									
	Subject	READING							TOTAL	
	Grade	3	4	5	6	7	8	10	#	%
(a)	Children with IEPs in Grades Assessed	1301	1312	1302	1309	1263	1292	1222	9001	
(b)	Regular assessment (CRT) with no accommodations	467	383	318	317	380	391	493	2749	30.5%
(c)	Regular assessment (CRT) with accommodations	683	761	820	822	749	745	515	5095	56.6%
(d)	Alternate assessment against grade level achievement standards	State does not have an alternate assessment that tests children against grade level standards or against modified achievement standards.								
(e)	Alternate assessment against modified achievement standards									
(f)	Alternate assessment (CRT-Alt) against alternate achievement standards	94	104	97	108	72	101	130	706	7.8%
(b+c+d+e+f) / a	Overall Participation in Reading	1244	1248	1235	1247	1201	1237	1138	8550	95.0%
Children included in (a) but not included in the other counts above.										
	Invalid Test Results	47	49	54	49	44	28	41	312	3.5%
	Children Not Tested - Other Reasons	10	15	13	13	18	27	43	139	1.5%

Indicator 3B Measurement	2008-2009 Participation of Students with IEPs in Statewide Assessments									
	Subject	MATH							TOTAL	
	Grade	3	4	5	6	7	8	10	#	%
(a)	Children with IEPs in Grades Assessed	1301	1312	1302	1309	1263	1292	1222	9001	
(b)	Regular assessment (CRT) with no accommodations	463	373	324	301	375	372	486	2694	29.9%
(c)	Regular assessment (CRT) with accommodations	710	800	841	827	737	752	517	5184	57.6%
(d)	Alternate assessment against grade level achievement standards	State does not have an alternate assessment that tests children against grade level standards or against modified achievement standards.								
(e)	Alternate assessment against modified achievement standards									
(f)	Alternate assessment (CRT-Alt) against alternate achievement standards	94	104	97	108	72	101	130	706	7.8%
(b+c+d+e+f) / a	Overall Participation in Math	1267	1277	1262	1236	1184	1225	1133	8584	95.4%
Children included in (a) but not included in the other counts above.										
	Invalid Test Results	21	19	26	58	60	37	49	270	3.0%
	Children Not Tested - Other Reasons	13	16	14	15	19	30	40	147	1.6%

Analysis of Target Data for FFY 2008 (2008-2009 School Year):

The target data for the Reading assessment indicates that **30.5** percent of students with disabilities participated in the regular assessment with no accommodations and **56.6** percent of the students with disabilities participated in the regular assessment with accommodations. In addition, **7.8** percent of students with disabilities participated in an alternate assessment against alternate achievement standards. Finally, the overall participation rate for students with disabilities for all grades assessed is **95.0** percent.

For Math, the target data indicate that **29.9** percent of students with disabilities participated in the regular assessment with no accommodations and **57.6** percent participated in the regular assessment with accommodations. In addition, **7.8** percent of students with disabilities participated in an alternate assessment against alternate achievement standards. Finally, the overall participation rate for students with disabilities for all grades assessed is **95.4** percent.

Table 3B.2 below presents trend data on the participation rates of students with disabilities in state assessments for Reading and Math.

Table 3B. 2 Participation Rate Trend Data

School Year	Count of Enrolled Students with IEPs	Reading		Math	
		Number Participating	Participation Rate	Number Participating	Participation Rate
2008-2009	9001	8550	95.0%	8584	95.4%
2007-2008	9534	9116	95.6%	9138	95.8%

Trend data suggest a slight **decrease** in the participation rates of students with disabilities between the 2007-2008 and 2008-2009 school years. There is also a decrease in the number of enrolled students with IEPs between the two years.

Assessing State Progress in Meeting the FFY 2008 Performance Target for Indicator 3B

The data presented in Table 3B.3 below is used to assess Montana's status in meeting its FFY 2008 performance target for the percent of students with disabilities participating in state assessments. The state set a target of 95 percent of students with disabilities will participate in state assessments for both Reading and Math, within a 95 percent confidence interval. A confidence interval is applied to reduce the effect of variability, due to small sample sizes, on the determination of state performance on this indicator.

Table 3B. 3 Montana Performance Target Status for FFY 2008 – Indicator 3B Participation Rates

SPP Indicator	Number of Students with Disabilities - All Grades Assessed	Number of Students with Disabilities - Participation Count	Participation Rate for Students with Disabilities	Confidence Interval - Upper Limit	Confidence Interval - Lower Limit	SPP Performance Target	State Performance Status
Indicator 3B.1 - Reading	9001	8550	95.0%	95.4%	94.5%	95.0%	Met Target
Indicator 3B.2 - Math	9001	8584	95.4%	95.8%	94.9%	95.0%	Met Target

For FFY 2008, the obtained participation rate of students with disabilities participating in state assessments for Reading (Indicator 3B.1) is **95** percent. In comparing the established performance target of 95 percent to the range of values in the confidence interval, the performance target falls within the upper and lower limits. We can conclude that there is no statistical difference between the obtained participation rate of students with disabilities and the established performance target. Therefore, Montana has **met** its performance target for Reading, within a 95 percent confidence interval.

For FFY 2008, the obtained participation rate of students with disabilities participating in state assessments for Math (Indicator 3B.2) is **95.4** percent. In comparing the established performance target of 95 percent to the range of values in the confidence interval, the performance target falls within the upper and lower limits. We can conclude that there is no statistical difference between the obtained participation rate of students with disabilities and the established performance target. Therefore, Montana has **met** its performance target for Math, within a 95 percent confidence interval.

Indicator 3C – Proficiency Rates**Actual Target Data for FFY 2008 (2008-2009 School Year):**

Table 3C.1 below presents proficiency rates for students with disabilities on state assessments by content area and for each grade assessed for FFY 2008 (2008-2009 school year). The data reported are based on Montana's Criterion-Referenced Test (CRT) and the CRT-Alternate (CRT-Alt) for the content areas of reading and math for Grades 3 through 8 and Grade 10.

Table 3C. 1 Proficiency Rates of Students with Disabilities in State Assessments for FFY 2008

Indicator 3C Measurement	2008-2009 Performance of Students with IEPs in Statewide Assessments									
	Subject	READING							TOTAL	
	Grade	3	4	5	6	7	8	10	#	%
(a)	Children with IEPs	1251	1257	1248	1237	1196	1229	1165	8583	
(b)	Students tested Proficient or above in regular assessment (CRT) with no accommodations	337	271	222	186	183	170	192	1561	18.2%
(c)	Students tested Proficient or above in regular assessment (CRT) with accommodations	296	275	328	315	266	246	117	1843	21.5%
(d)	Students tested Proficient or above in alternate assessment against grade level standards	State does not have an alternate assessment that tests children against grade level standards or against modified achievement standards.								
(e)	Students tested Proficient or above in alternate assessment against modified achievement standards									
(f)	Students tested Proficient or above in alternate assessment (CRT-Alt) against alternate achievement standards	70	68	83	69	84	59	108	541	6.3%
(b+c+d+e+f) / a	Overall Proficiency in Reading	703	614	633	570	533	475	417	3945	46.0%
Children included in (a) but not included in the other counts above.										
	Invalid Test Results	46	44	50	45	43	27	41	296	3.4%
	Children Not Tested - Other Reasons	10	12	13	11	15	21	38	120	1.4%

Indicator 3C Measurement	2008-2009 Performance of Students with IEPs in Statewide Assessments									
	Subject	MATH							TOTAL	
	Grade	3	4	5	6	7	8	10	#	%
(a)	Children with IEPs	1251	1257	1248	1237	1196	1229	1165	8583	
(b)	Students tested Proficient or above in regular assessment (CRT) with no accommodations	263	212	166	106	114	82	80	1023	11.9%
(c)	Students tested Proficient or above in regular assessment (CRT) with accommodations	171	191	169	127	125	82	42	907	10.6%
(d)	Students tested Proficient or above in alternate assessment against grade level standards	State does not have an alternate assessment that tests children against grade level standards or against modified achievement standards.								
(e)	Students tested Proficient or above in alternate assessment against modified achievement standards									
(f)	Students tested Proficient or above in alternate assessment (CRT-Alt) against alternate achievement standards	54	70	57	63	51	72	93	460	5.4%
(b+c+d+e+f) / a	Overall Proficiency Rates in Math	488	473	392	296	290	236	215	2390	27.8%
Children included in (a) but not included in the other counts above.										
	Invalid Test Results	21	16	23	53	57	36	48	254	3.0%
	Children Not Tested - Other Reasons	12	13	14	13	15	24	35	126	1.5%

Analysis of Target Data for FFY 2008 (2008-2009 School Year):

The target data for Reading indicate **18.2** percent of students with disabilities tested proficient or above in the regular assessment with no accommodations and **21.5** percent of the students with disabilities tested proficient or above in the regular assessment with accommodations. Further, in the alternate assessment against alternate achievement standards (CRT-Alt), **6.3** percent of students with disabilities tested proficient or above. Finally, the overall proficiency rate for students with disabilities on state assessments in all grades assessed is **46** percent.

For the Math content area, the target data indicate **11.9** percent of students with disabilities tested proficient or above in the regular assessment with no accommodations and **10.6** percent tested proficient or above in the regular assessment with accommodations. Further, in the alternate assessment against alternate achievement standards (CRT-Alt), **5.4** percent of students with disabilities tested proficient or above. Finally, the overall proficiency rate for students with disabilities on state assessments in all grades assessed is **27.8** percent.

Table 3C.2 below presents trend data on the proficiency rates of students with disabilities in state assessments for Reading and Math.

Table 3C. 2 Proficiency Rate Trend Data

School Year	Count of Enrolled Students with IEPs	Reading		Math	
		Number Scoring Proficient or Above	Proficiency Rate	Number Scoring Proficient or Above	Proficiency Rate
2008-2009	8583	3945	46.0%	2390	27.8%
2007-2008	9534	4142	43.4%	2496	26.2%

Trend data suggest an **increase** in the proficiency rates of students with disabilities between the 2007-2008 and 2008-2009 school years for both Reading and Math. There is a decrease in the number of enrolled students with IEPs between the two years.

Assessing State Progress in Meeting the FFY 2008 Performance Target for Indicator 3C

The data presented in Table 3C.3 below is used to assess Montana's status in meeting its FFY 2008 performance target for the percent of students with disabilities testing proficient or above in state assessments for Reading and Math. The state set a target of 33 percent of students with disabilities tested proficient or above in state assessments for both Reading and Math, within a 95 percent confidence interval. A confidence interval is applied to reduce the effect of variability, due to small sample sizes, on the determination of state performance on this indicator.

Table 3C. 3 Montana Performance Target Status for FFY 2008 – Indicator 3C Participation Rates

SPP Indicator	Number of Students with Disabilities - All Grades Assessed	Number of Students with Disabilities - Proficient or Above	Proficiency Rate for Students with Disabilities	Confidence Interval - Upper Limit	Confidence Interval - Lower Limit	SPP Performance Target	State Performance Status
Indicator 3C.1 - Reading	8583	3951	46.0%	47.1%	45.0%	33.0%	Met Target
Indicator 3C.2 - Math	8583	2390	27.8%	28.8%	26.9%	33.0%	Did Not Meet Target

For FFY 2008, the obtained proficiency rate of students with disabilities testing proficient or above on state assessments for Reading (Indicator 3C.1) is **46** percent. In comparing the established performance target of 33 percent to the range of values in the confidence interval, the performance target falls above the upper limit. We can conclude that there is no statistical difference between the obtained proficiency rate of students with disabilities and the established performance target. Therefore, Montana has **met** its performance target for Reading, within a 95 percent confidence interval.

For FFY 2008, the obtained proficiency rate of students with disabilities testing proficient or above on state assessments for Math (Indicator 3C.2) is **27.8** percent. In comparing the established performance target of 33 percent to the range of values in the confidence interval, the performance target falls above the upper limit. We can conclude that there is a statistical difference between the obtained proficiency rate of students with disabilities and the established performance target. The

data show that the obtained proficiency rate is significantly lower than the established target. Therefore, Montana has **not met** its performance target for Math, within a 95 percent confidence interval.

LEA REVIEW

Montana also conducted a review of 420 LEAs to determine whether the LEA participation and proficiency rates of students with disabilities in state assessments meet the state's established performance targets for Indicators 3B.1, 3B.2, 3C.1 and 3C.2 for FFY 2008. The results of the LEA review are presented in the tables below.

Indicator 3B – Participation Rates

Table 3B.4 below presents the LEA review of participation rate data for Indicators 3B.1-Reading and 3B.2-Math for FFY 2008.

Table 3B. 4 Review of Montana LEA Indicator 3B Performance for FFY 2008

Participation in State Assessments Performance Indicators	Content Area	Number of LEAs With Students with Disabilities (a)	LEAs With Minimum N of 10 (b)		LEAs With Minimum N of 10 Meeting State Performance Target (c)		LEAs With Minimum N of 10 NOT Meeting State Performance Target (d)	
			#	$\% = (b/a) * 100$	#	$\% = (c/b) * 100$	#	$\% = (d/b) * 100$
Indicator 3B.1	Reading	357	162	45.4%	143	88.3%	19	11.7%
Indicator 3B.2	Math		162	45.4%	142	87.7%	20	12.3%

Data for Indicator 3B show there were 357 LEAs that have students with disabilities enrolled in the grades assessed for FFY 2008 (2008-2009 school year). Of those LEAs, **45.5** percent (or 162 LEAs) had participation counts that met the minimum N of 10 necessary to yield statistically reliable information. The participation rates of students with disabilities are reported for both the Reading and Math content areas. For Reading, **88.3** percent of the LEAs with a minimum N of 10 met the state's established performance target of 95 percent, while **11.7** percent did not meet this performance target. For Math, **87.7** percent of the LEAs with a minimum N of 10 met the state's established performance target of 95 percent, while **12.3** percent did not meet this performance target. Table 3B.5 below presents the data on the LEAs not meeting the targets in Reading and/or Math.

Table 3B. 5 Montana LEAs Not Meeting the FFY 2008 Performance Targets for Participation

LEA	Special Education Participation Rate in Reading	Special Education Participation Rate in Math
District 1	66.1%	62.7%
District 2	40.0%	20.0%
District 3		84.6%
District 4	83.9%	74.2%
District 5	80.0%	
District 6	30.0%	40.0%
District 7	61.1%	61.1%
District 8	30.0%	
District 9	75.5%	81.1%
District 10	90.6%	89.6%
District 11		81.4%
District 12	70.6%	85.3%
District 13	71.6%	79.1%
District 14	73.3%	73.3%
District 15	60.7%	
District 16	87.5%	88.9%
District 17	76.5%	
District 18		82.4%
District 19		80.6%
District 20	88.4%	84.8%
District 21	85.1%	83.0%
District 22	70.9%	63.6%
District 23		52.0%
District 24	64.3%	50.0%

For the LEAs not meeting the performance target for Reading, the participation rates range from a low of **30** percent for Districts 6 and 8 to a high of 90.6 percent for District 10. For the LEAs not meeting the performance target for Math, the participation rates range from a low of **20** percent for District 2 to a high of **89.6** percent for District 10. Of the LEAs not meeting participation rate performance targets, 15 LEAs did not meet the target in both Reading and Math and nine LEAs did not meet the target in either Reading or Math.

Indicator 3C – Proficiency Rates

Table 3C.4 below presents the LEA review of proficiency rate data for Indicators 3C.1-Reading and 3C.2-Math for FFY 2008.

Table 3C. 4 Montana LEAs Not Meeting the FFY 2008 Performance Target for Proficiency

Proficiency Rates in State Assessments Performance Indicators	Content Area	Number of LEAs With Students with Disabilities (a)	LEAs With Minimum N of 10 (b)		LEAs With Minimum N of 10 Meeting State Performance Target (c)		LEAs With Minimum N of 10 NOT Meeting State Performance Target (d)	
			#	%=(b/a)*100	#	%=(c/b)*100	#	%=(d/b)*100
Indicator 3C.1	Reading	357	154	43.1%	149	96.8%	5	3.2%
Indicator 3C.2	Math		154	43.1%	123	79.9%	31	20.1%

Data for Indicator 3C show there were 357 LEAs that have students with disabilities enrolled in the grades assessed for FFY 2008 (2008-2009 school year). Of those LEAs, **43.1** percent (or 154 LEAs) had student counts of proficient or above that met the minimum N of 10 necessary to yield statistically reliable information. The proficiency rates of students with disabilities are reported for both the Reading and Math content areas. For Reading, **96.8** percent of the LEAs with a minimum N of 10 met the state's established performance target of 33 percent, while **3.2** percent did not meet this performance target. For Math, **79.9** percent of the LEAs with a minimum N of 10 met the state's established performance target of 33 percent, while **20.1** percent did not meet this performance target. Table 3C.5 below presents the data on the LEAs not meeting the targets in Reading and/or Math.

Table 3C. 5 Montana LEAs Not Meeting the FFY 2008 Performance Target for Proficiency

LEA	Special Education Proficiency Rate in Reading	Special Education Proficiency Rate in Math
District 1		12.0%
District 2		13.3%
District 3		21.3%
District 4		14.1%
District 5		6.7%
District 6		15.6%
District 7		21.0%
District 8		0.0%
District 9		9.5%
District 10		21.1%
District 11	15.4%	9.9%
District 12	0.0%	0.0%
District 13	18.9%	18.9%
District 14		4.3%
District 15		18.6%
District 16		19.6%
District 17		12.0%
District 18	7.1%	10.7%
District 19	10.3%	7.4%
District 20		0.0%
District 21		7.5%
District 22		20.3%
District 23		0.0%
District 24		21.4%
District 25		4.5%
District 26		14.3%
District 27		0.0%
District 28		19.0%
District 29		9.1%
District 30		2.8%
District 31		6.3%

For the LEAs not meeting the performance target for Reading, the proficiency rates range from a low of **0** percent for District 12 to a high of **18.9** percent for District 13. For the LEAs not meeting the performance target for Math, the proficiency rates range from a low of **0** percent for Districts 8, 12, 20, 23, and 27 to a high of **21.4** percent for District 24. Of the LEAs not meeting proficiency rate performance targets, 5 LEAs did not meet the target in both Reading and Math and 26 LEAs did not meet the target in Math.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2008:

Montana met its performance target for indicator 3B (participation rates) and for proficiency rates in reading under indicator 3C. Montana did not meet its performance target for Indicator 3A (AYP Objectives) or for proficiency rates in mathematics under indicator 3C.

Indicator 3A- AYP Objectives: Montana noted a significant decrease in the percentage of LEAs meeting Montana's AYP objectives for progress for students with disabilities. The percentage dropped from 44.3 percent in FFY 2007 to 8.8 percent in FFY 2008. As was discussed above, the data source for this calculation was changed from the 618 data to the ESEA data beginning with this report. While this change may account for a small portion of the decrease in percentage, it did not account for the entire decrease. These data represent a real change in the number of LEAs meeting the progress targets for AYP. An LEA-level analysis of the data indicated that there were a number of LEAs that demonstrated slight decreases in the percentage that moved the LEA from having met the AMO target to not having met the target in one or both subject areas. Because the LEA must meet the AMO in both subjects to meet this indicator, these small changes had a large impact on the overall percentage.

Indicator 3B- Participation Rates: Montana again met its target for the participation of students with disabilities in the statewide assessments.

Indicator 3C- Proficiency Rates: Analysis of trend data for this indicator showed that the proficiency rates of students with disabilities in Montana increased in both Reading and Math. Therefore, Montana students continued to demonstrate improvement in learning in both subject areas. Despite these increases, Montana student proficiency rates in Math did not meet the state's target rate and this continued to be an area of concern. The OPI continued to provide technical assistance to LEAs through the CSPD system aimed at increasing the learning rates of students with disabilities.

The OPI uses an electronic grants management system that is known as EGrants. The LEAs annually apply for funds under IDEA using this system. As a portion of the required application, each district must complete a series of objectives related to the LEA's performance relative to each SPP performance indicator. In this system, any LEA that does not meet the statewide target for this indicator must indicate as a part of the annual application what activities will be undertaken to address the particular issue. For example, any LEA that did not meet the target for AYP Objectives or proficiency rates will have indicated in the annual application what activities they intend to use to decrease the dropout rate for students with disabilities.

Improvement Activities Completed:**1. Provide professional development opportunities to LEAs on research-based strategies to improve student achievement.**

The OPI continued to support its strong Comprehensive System of Personnel Development (CSPD) to provide targeted professional development activities to LEA staff. The five (5) regional CSPD councils presented professional development based on the needs of the LEAs in their regions. In addition, each CSPD region presented professional development activities based on an analysis of regional APR data provided by the OPI and on the results of the Levels of Determination for LEAs in the region. During the 2008-2009 school year the OPI continued its work with the CSPD regional directors to more closely align the professional development activities provided with the APR indicators. Each region worked to refine the collection outcome data related to the professional development activities which will allow for closer examination of the effectiveness of the professional development.

2. Continue to implement MBI to promote a positive environment which supports student learning.

The OPI continued its long-term support of the Montana Behavioral Initiative (MBI) project. This project is Montana's Positive Behavior Intervention and Supports (PBIS) initiative which had been in place for more than 15 years. The MBI project provided training for LEA staff through two projects. First, the MBI Summer Institute is held each June. In June 2008 the Summer Institute attracted over 600 attendees from across Montana. These attendees received a week-long series of workshops in topics such as PBIS, RTI, changing school climate, and improving instructional techniques.

The second prong of MBI is at the LEA level. Approximately 90 of Montana's LEAs have enlisted to be "MBI Schools." These schools are provided with intensive team training and support in implementing PBIS initiatives with their schools. Each LEA is provided with an MBI Consultant to facilitate the implementation process with the schools and to assist in gathering data.

Another component of the MBI is the MBI Youth Days. Youth Day activities bring together students from across Montana in a series of regional meetings. The Youth Day activities focused on character education and service learning and resulted in the teams of students creating action plans for their school regarding the implementation of the MBI process. These workshops address leadership skills, asset building and bullying prevention through student-directed activities.

3. Continue pilot studies to establish an alternate assessment to be known as the "CRT-Modified."

Montana continued to work with the test vendor, Measured Progress, to develop and validate modified academic achievement assessments based on modified achievement standards. Final preparations were made for pilot testing of the developed items during the 2009-2010 school year testing window.

4. Continue to collaborate with the OPI Indian Education Division and other agencies on projects and activities which focus on improving American Indian student achievement.

The OPI Special Education Division staff continued to collaborate with the Division of Indian Education staff on the development and delivery of professional development related to the unique needs of Montana's American Indian students. An understanding of American Indian culture and factors that lead to reduced outcomes for American Indian students are felt to be a critical component in improving the achievement of American Indian students.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines /
Resources for FFY 2008:**

[If applicable]

Revision to SPP Targets: Because of changes in the data source and reporting requirements the targets for Indicator 3 will be revised and the changes will be noted in Montana's revised State Performance Plan which will be available online at: www.opi.mt.gov/Programs/SpecialEd/Index.html.

Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: FAPE in the LRE

Indicator 4: Rates of suspension and expulsion:

- A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and
- B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

Measurement:

- A. Percent = [(# of districts that have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with IEPs) divided by the (# of districts in the state)] times 100.
- B. Percent = [(# of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards) divided by the (# of districts in the state)] times 100.

Include state's definition of "significant discrepancy."

State Definition of Significant Discrepancy:

An LEA is determined to have a significant discrepancy if, given a minimum N of 10, an LEA demonstrates a statistical difference in long-term suspension and expulsion rates for students with disabilities when compared to the long-term suspension and expulsion rates for students without disabilities, within a 99 percent confidence interval.

FFY	Measurable and Rigorous Target
2008	A. Given a minimum N of 10, maintain the percent of the LEAs identified as having significant discrepancy in long-term suspension and expulsion rates for students with disabilities at 0% within a 99% confidence interval.

Actual Target Data for FFY 2008**Indicator 4A**

Montana conducted a review of LEA long-term suspension and expulsion rates for students with disabilities to determine if a significant discrepancy is occurring within an LEA. To do this, the rates of long-term suspensions and expulsions of students with disabilities are compared to the rates of long-term suspension and expulsion rates of nondisabled students within each LEA. Using a test of the

difference between proportions as the methodology for identifying significant discrepancy, an LEA is determined to have a significant discrepancy if, given a minimum N of 10, an LEA demonstrates a statistical difference in long-term suspension and expulsion rates for students with disabilities when compared to the long-term suspension and expulsion rates for students without disabilities, within a 99 percent confidence interval.

As noted in OSEP's Part B Indicator Measurement Table and the Montana Part B FFY 2007 SPP/APR Response Table, the data used in the state's examination is from the 2007-2008 school year, resulting in a one-year data lag for this indicator. Table 4.1 below presents the target data for FFY 2008.

Table 4.1 Montana LEAs Identified with Significant Discrepancy for FFY 2008

School Year	Total Number of LEAs (a)	Number of LEAs identified with significant discrepancy (b)	Percent of LEAs identified with significant discrepancy % = (b/a) * 100
2007-2008	421	0	0%

Statewide long-term suspension and expulsion rates for both students with disabilities and nondisabled students are presented in Table 4.2 below. The source for the data reported here is the Part B 618 data reported in Section A, Column 3B of *Table 5 Report of Children with Disabilities Unilaterally Removed or Suspended/Expelled for More Than 10 Days*.

Table 4.2 Montana Long-Term Suspension and Expulsion Rates for FFY 2008

School Year	Number of Special Education Students with Long-term Suspension or Expulsion ¹	Special Education Child Count ²	Special Education Long-term Suspension or Expulsion Rates	Number of Regular Education Students with Long-term Suspension or Expulsion ³	General Education Enrollment ⁴	Regular Education Long-term Suspension and Expulsion Rates
2007-2008	97	16089	0.6%	339	126674	0.3%

¹Count of students with disabilities who qualify for services under IDEA, with multiple short-term suspensions or expulsions (10 days or less) that sum to greater than 10 days during the school year or suspended or expelled once for greater than 10 days during the school year.

²Special education counts are students with disabilities who qualify for services under IDEA, ages 6-21, reported on the December 1st child count.

³Count of nondisabled students with multiple short-term suspensions or expulsions (10 days or less) that sum to greater than 10 days during the school year or suspended or expelled once for greater than 10 days during the school year.

⁴Students enrolled as of October 1st of the count year in grades K-12. This count includes students with disabilities who qualify under IDEA and can not be disaggregated.

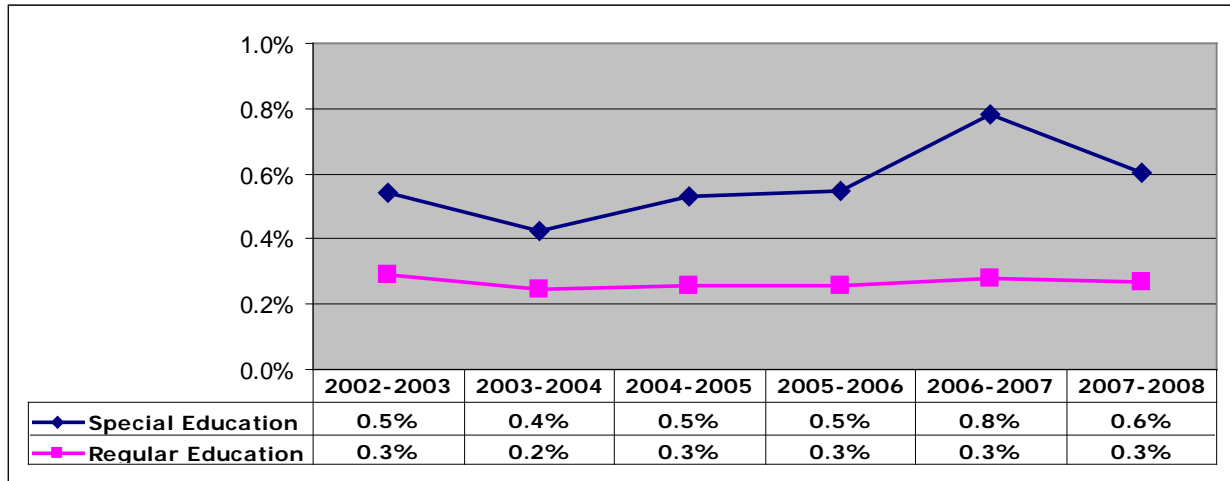
Analysis of Target Data for FFY 2008

For FFY 2008, there were 421 LEAs in the state. A test of difference between proportions indicated no statistical difference between the rates of long-term suspensions and expulsions of students with disabilities and the rates for nondisabled students in each of the LEAs. Therefore, no LEAs were identified as having a significant discrepancy in the rate of long-term suspension and expulsions for students with disabilities.

State long-term suspension and expulsion data for the 2007-2008 school year indicate that the rate of long-term suspension and expulsions for students with disabilities is **0.6** percent, while the rate for non-disabled students is **0.3** percent (see Table 4.2 above).

Trend data for long-term suspension and expulsion rates are presented in Figure 4.1 below. The trend data is used to compare the long-term suspension and expulsion rates for students with disabilities to the rates of nondisabled students over time.

Figure 4. 1 Montana Long-Term Suspension and Expulsion Rates Trend Data



Analysis of Trend Data for FFY 2008

The trend data for FFY 2008 indicate that there is a .3 percent gap between the long-term suspension and expulsion rates of students with disabilities compared to the rates of non-disabled students. This signifies a **reduction** in the gap from the previous year. Analysis of trend data also indicate the long-term suspension and expulsion rates for students with disabilities are consistently higher than the rates for non-disabled students (see Figure 4.1 above). Further, there is an indication that while the long-term suspension and expulsion rates for non-disabled students has remained relatively stable over the last five years, the long-term suspension and expulsion rates for students with disabilities are increasing. However, caution must be used in interpreting the trend lines. In a state such as Montana, with a relatively small population of students with disabilities, there is a high probability of significant variations in the data from year to year, resulting in a more pronounced ups and downs in the trend line for special education.

Assessing State Progress in Meeting the FFY 2008 Performance Target for Indicator 4A

The data in Table 4.3 below is used to assess the state's progress in meeting its performance target for FFY 2008. The OPI set a target, based on a minimum N of 10, of maintaining **0 percent** of LEAs identified as having a significant discrepancy in long-term suspension and expulsion rates for students with disabilities, within a **99 percent** confidence interval.

Table 4. 3 Montana Performance Target Status for FFY 2008

School Year	Total Number of LEAs (a)	Number of LEAs identified with significant discrepancy (b)	Percent of LEAs identified with significant discrepancy % = (b/a) * 100	SPP Performance Target	State Performance Status
2007-2008	421	0	0%	0.0%	Met Target

For FFY 2008, **0** percent of the LEAs were identified as having a significant discrepancy in the long-term rates of suspensions and expulsions of students with disabilities when compared to the long-term rates of suspension and expulsions of nondisabled students. Given a sample size of a minimum N of 10, the state has **met** its performance target of 0 percent, within a 99 percent confidence interval.

Indicator 4B

In accord with instructions from the Office of Special Education Programs, states do not have to address or report performance related to Indicator 4B in this Annual Performance Report.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:

Montana met its performance target for this indicator. The data for this indicator showed that the long-term suspension/expulsion rate for students with disabilities continued to be higher than the rate for regular education students. Both rates continued to remain below one (1) percent of the student population that was subject to long-term suspension or expulsion. An analysis of LEA level data indicated that no LEAs demonstrated a significant discrepancy in the long-term rates of suspension and expulsion of students with disabilities. The OPI continued to provide technical assistance to the LEAs in Montana regarding effective strategies to reduce the incidence of long-term suspension or expulsion for all students. The Montana Behavioral Initiative (MBI) project provided training to LEA staff, parents, and other community members on positive behavioral approaches to improving student behavior and alternatives to suspension or expulsion. Additionally, OPI staff provided training regarding effective behavior management techniques, crisis intervention techniques, and strategies for working with students with low-incidence disabilities.

Improvement Activities Completed:

1. Continue to make “on-time” TA available to school personnel through the Early Assistance Program (EAP) and OPI Staff.

The OPI Special Education Division, in conjunction with the OPI Legal Division, continued to provide the Early Assistance Program (EAP) services. The EAP program officer provided guidance to both parents and LEA staff regarding the IDEA discipline regulations. The OPI Special Education staff was available on a daily basis to consult with parents and LEA staff regarding alternatives to suspension and expulsion for managing student behaviors.

2. Continue to monitor compliance with IDEA regulations regarding suspensions and expulsions through compliance monitoring procedures.

As a part of the OPI compliance monitoring process LEAs that will be subject to an on-site record review are required to provide the compliance monitor with a list of all students who have been subject to suspension or expulsion for seven (7) or more days during the previous calendar year. A sample of these students' records are selected for review during the on-site visit. This process allows the OPI staff to provide targeted technical assistance to the LEA regarding discipline procedures and provides verification that the IDEA requirements are being followed. This process also provided an opportunity for the OPI staff to provide specific student related technical assistance focused on alternative behavior management strategies to prevent further removals of the student from school. For FFY 2007, no incidents of non-compliance with the IDEA discipline regulations were found.

3. Continue to make MBI training available to school personnel.

The OPI continued its support of the Montana Behavioral Initiative (MBI) project through sponsorship of the MBI Summer Institute, providing consultants to enable participating LEAs to implement MBI

strategies at the local level, and helping to bring together middle and high school youth from across the state in regional gatherings to teach them how to be active stakeholders in the educational process. Increasing student involvement at the state and local levels leads to reduced problem behaviors, increased student achievement, and more positive post-school outcomes.

The MBI Summer Institute is held annually in June. Each year more than 600 Montana educators, parents and other community members attend the week-long sessions. A number of training strands are offered at each institute including: early childhood education, Positive Behavior Interventions and Supports (PBIS), creating and maintaining positive school climate, implementing a Response to Intervention (RTI) approach, and effective instructional techniques.

4. Continue to provide TA and training to LEAs to assist them with strategies that will lead to fewer suspensions/expulsions.

The OPI continued to support its strong Comprehensive System of Personnel Development (CSPD) system to provide targeted professional development activities to LEA staff. The five (5) regional CSPD councils presented professional development based on the needs of the LEAs in their regions. In addition, each CSPD region presented professional development activities based on an analysis of regional APR data provided by the OPI and on the results of the Levels of Determination for LEAs in the region. During the 2008-2009 school year the OPI continued its work with the CSPD regional directors to more closely align the professional development activities provided with the APR indicators. Each region worked to refine the collection outcome data related to the professional development activities which will allow for closer examination of the effectiveness of the professional development.

5. Provide guidance to LEAs on discipline procedures and make this available on the OPI Web site.

The OPI continued to provide a technical assistance guide on disciplinary removals under the IDEA on its Web site at <http://www.opi.mt.gov/PDF/SpecED/guides/SuspguideMay02.pdf>.

6. Work with the Division of Indian Education to identify promising practices to decrease long-term suspensions and/or expulsions for American Indian students.

The Special Education Division staff continued to work with staff from the Division of Indian Education to examine data regarding long-term suspension and expulsion rates for American Indian students across Montana. These data were used to provide targeted technical assistance to LEAs regarding strategies for reducing long-term suspension and expulsion rates. Additionally, staff from the Division of Indian Education participated in the planning for the MBI Summer Institute.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008:

[If applicable]

No revisions were made to the State Performance Plan.

Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: FAPE in the LRE

Indicator 5: Percent of children with IEPs aged 6 through 21 served:

- A. Inside the regular class 80 percent or more of the day;
- B. Inside the regular class less than 40 percent of the day; and
- C. In separate schools, residential facilities, or homebound/hospital placements.

(20 U.S.C. 1416(a)(3)(A))

Measurement:

- A. Percent = [(# of children with IEPs served inside the regular class 80% or more of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- B. Percent = [(# of children with IEPs served inside the regular class less than 40% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- C. Percent = [(# of children with IEPs served in separate schools, residential facilities, or homebound/hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

FFY	Measurable and Rigorous Target
2008 (2008-2009)	<p>A. Given a minimum N of 10, 49% of students with disabilities served inside regular class for 80% or more of the day, within a 95% confidence interval.</p> <p>B. Given a minimum N of 10, 12% of students with disabilities served inside regular class for less than 40% of the day, within a 95% confidence interval.</p> <p>C. Given a minimum N of 10, 1.5% of students with disabilities served in separate schools, residential facilities, or to homebound/hospital placements within a 95% confidence interval.</p>

Actual Target Data for FFY 2008 (2008-2009 School Year)

The FFY 2008 (2008-2009 School Year) educational placement target data for students with disabilities, ages 6-21, are provided in Table 5.1 below. The data source used is the Part B 618 data as reported in *Table 1 Report of Children with Disabilities Receiving Special Education Under Part B of the Individuals with Disabilities Education Act, As Amended* and *Table 3 Part B, Individuals With Disabilities Education Act Implementation of FAPE Requirements*.

Table 5.1 Montana Educational Placement Data for the 2008-2009 School Year

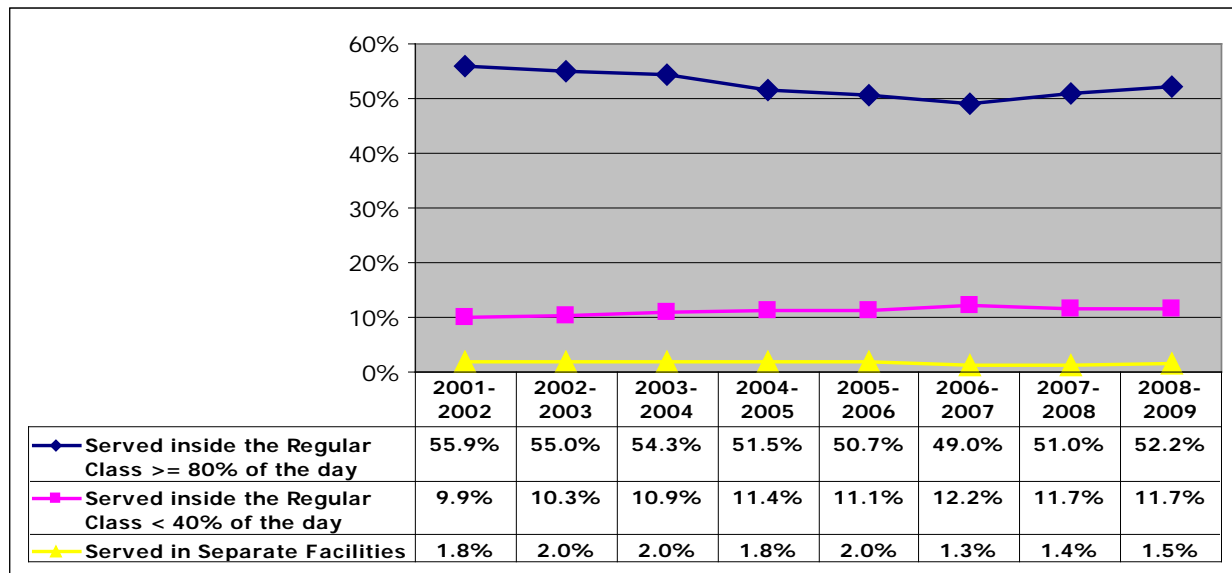
SPP Indicator	Education Environment	Special Education Setting Count ¹ (a)	Special Education Child Count, ages 6-21 ² (b)	Educational Placement Percent % = (a/b) * 100
Indicator 5A	Served inside the Regular Class \geq 80% of the day	8186	15691	52.2%
Indicator 5B	Served inside the Regular Class $<$ 40% of the day	1829	15691	11.7%
Indicator 5C	Served in Separate Facilities ³	243	15691	1.5%

¹Special Education Setting Count is reported annually with the December 1st Special Education Child Count data collection and includes students with disabilities, ages 6-21.

²Special Education Child Count is the annual December 1st Special Education Child Count data collection and includes students with disabilities, ages 6-21.

³Separate Facilities include a count of students with disabilities, ages 6-21, served in public or private separate schools, residential placements, or homebound or hospital placements.

Trend data are presented in Figure 5.1 for the educational placement of students with disabilities, ages 6-21, in order to compare educational placement patterns over time.

Figure 5.1 Montana Educational Placement Trend Data for Students with Disabilities, Ages 6-21

Analysis of Target Data for FFY 2008 (2008-2009 School Year)

The target data for FFY 2008 indicate that **52.2** percent of students with disabilities receiving special education and related services are served inside the regular class for 80 percent or more of the day, while **11.7** percent are served inside the regular class for less than 40 percent of the day. A small percentage of students with disabilities (**1.5%**) receive their education in separate facilities (see Table 5.1 above). Target data indicate that a little over one-half of students with disabilities, ages 6-21, are being educated with their peers for the majority of the school day.

The overall trend lines indicate a slight change in the educational placement of students with disabilities, ages 6-21, in Montana schools since the 2006-2007 school year. Further analysis show a slight **increase** over the last two years in the percentage of students with disabilities served inside the regular class for 80 percent or more of the day, and no change in the percent served inside the regular class for less than 40 percent of the day. Caution should be used when interpreting trend line data. The fluctuation of trend line data may reflect changes in enrollment data from year to year rather than changes in how decisions regarding educational placement of students are being made.

However, the trend data seem to indicate that IEP teams are consistently considering the least restrict environment when making educational placement decisions when doing so is appropriate for meeting the student's needs.

Assessing State Progress in Meeting the FFY 2008 Performance Target

The data presented in Table 5.2 below is used to assess the state's progress in meeting its performance target for FFY 2008. Based on a minimum N of 10 and within a 95 percent confidence interval, the state set a target of **49** percent of students with disabilities will be served inside the regular class for 80 percent or more of the day, **12** percent of students with disabilities served inside the regular class for less than 40 percent of the day, and **1.5** percent of students with disabilities are served in separate facilities.

Table 5.2 Montana Performance Target Status for FFY 2008

SPP Indicator Number	Education Environment	Special Education Setting Count	Educational Placement Percent	Confidence Interval - Upper Limit	Confidence Interval - Lower Limit	SPP Performance Target	State Performance Status
Indicator 5A	Served inside the Regular Class >= 80% of the day	8186	52.2%	53.0%	51.4%	49.0%	Met Target
Indicator 5B	Served inside the Regular Class < 40% of the day	1829	11.7%	12.2%	11.2%	12.0%	Met Target
Indicator 5C	Served in Separate Facilities	243	1.5%	1.8%	1.4%	1.5%	Met Target

Indicator 5A

For FFY 2008 (2008-2009 school year), **52.2** percent of students with disabilities are served inside the regular class for 80 percent or more of the day. The established performance target for FFY 2008 is **49** percent. In comparing the established performance target to the range of values in the confidence interval, the performance target falls below the lower limit of the confidence interval indicating that our obtained education placement rate exceeds the established performance target. Therefore, given a sample size of a minimum N of 10, the state has **met** its performance target for this indicator, within a 95 percent confidence interval.

Indicator 5B

For FFY 2008 (2008-2009 school year), **12** percent of students with disabilities are served inside the regular class less than 40 percent of the day. The established performance target for FFY 2008 is **12** percent. In comparing the established performance target to the range of values in the confidence interval, the performance target falls within the upper and lower limits of the confidence interval. We can conclude that there is no statistical difference between the obtained education environment rate and the established performance target. Therefore, Montana has **met** its performance target for this indicator, within a 95 percent confidence interval.

Indicator 5C

For FFY 2008 (2008-2009 school year), **1.5** percent of students with disabilities are served in separate facilities. The established performance target is **1.5** percent. There is no difference between the obtained educational environment rate and the established performance target. Therefore, given a sample size of a minimum N of 10, the state has **met** its performance target for this indicator, within a 95 percent confidence interval.

LEA Review

Montana also conducted a review of LEAs to determine their performance in meeting the state's established performance targets for Indicator 5 for FFY 2008 (2008-2009 school year). The results of the LEA review are presented in Table 5.3 below.

Table 5.3 Review of Montana LEA Performance For FFY 2008

SPP Indicator Measure	Number of LEAs With Students with Disabilities (a)	LEAs With Minimum N of 10 (b)		LEAs With Minimum N of 10 Meeting State Performance Target (c)		LEAs With Minimum N of 10 Not Meeting State Performance Target (d)	
		#	$\% = (b/a) * 100$	#	$\% = (c/b) * 100$	#	$\% = (d/b) * 100$
Indicator 5A	381	232	60.9%	203	87.5%	29	12.5%
Indicator 5B	381	232	60.9%	218	92.4%	14	6.0%
Indicator 5C	387	237	61.2%	222	93.7%	15	6.3%

For FFY 2008, there were between 381 and 387 LEAs reporting students with disabilities for the 2008-2009 school year. Of these reporting LEAs, **60.9** percent met the minimum N of 10 for the subgroup of students with disabilities served inside the regular class for 80 percent or more of the day (Indicator 5A), **60.9** percent met the minimum N of 10 for the subgroup of students with disabilities served inside the regular class for less than 40 percent of the day (Indicator 5B), and **61.2** percent met the minimum N of 10 for the subgroup of students with disabilities receiving special education and related services in separate schools (Indicator 5C).

Indicator 5A

For FFY 2008, **87.5** percent of the LEAs **met** the state performance target for students with disabilities served inside the regular class for 80 percent or more of the day, while **12.5** percent of the LEAs **did not meet** the performance target (see Table 5.3 above).

Indicator 5B

For FFY 2008, **92.4** percent of the LEAs **met** the state performance target for students with disabilities served inside the regular class for less than 40 percent of the day, while **6** percent of the LEAs **did not meet** the performance target (see Table 5.3 above).

Indicator 5C

For FFY 2008, **93.7** percent of the LEAs **met** the state performance target for students with disabilities receiving special education and related services in separate schools, while **6.3** percent of the LEAs **did not meet** the performance target (see Table 5.3 above).

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2008

Montana met its targets for this indicator. An analysis of the data showed a slight increase in the percent of students with disabilities removed from the regular class less than 21 percent of the school day. This trend continues from the 2007-2008 school year.

The OPI continued to implement activities under the State Personnel Development Grant (SPDG) that were instrumental in providing professional development to LEA staff to improve the skills necessary to meet the needs of students with disabilities in the general education setting. Professional development also assisted special education personnel and IEP team members in designing individualized education programs (IEPs) that will help prepare students with more significant disabilities to obtain the academic and/or behavioral skills necessary to effectively participate in the regular education setting.

Improvement Activities Completed

1. Continue to provide technical assistance and support to LEAs to assist them in providing FAPE in the LRE.

The OPI continued to provide direct technical assistance to schools to aid them in the development of behavioral plans and positive behavioral supports through on-site visits, online technical assistance, and activities such as the MBI Summer Institute. The OPI staff provided training in crisis response and managing difficult behaviors. Montana's five (5) regional CSPD councils provided ongoing training in PBIS, evidenced-based reading strategies, instructional design, mentoring, differentiated instruction and response to intervention.

The OPI began to bring to scale the Montana Response to Intervention (RtI) project. The project is a major scaling-up of the pilot project that involved four (4) schools from across Montana. Based on the results of this pilot the OPI expanded the project to include forty-four (44) elementary schools and twelve (12) middle and high schools. This project provided eight (8) full days of training for school staff and an on-site consultant to assist RTI problem-solving teams in implementing the model in their school. Building problem-solving and intervention capacity in schools also greatly increases the ability of students with disabilities to receive instruction in the regular classroom setting.

During the 2008-2009 school year the OPI began development of the Montana Autism Education Project. This project will provide many technical assistance opportunities related to educating students with significant disabilities. The project will also provide on-time and on-site coaching to LEA staff.

The OPI also continued to implement the Deaf-Blind project in collaboration with the University of Montana Rural Institute and the Montana School for the Deaf and Blind (MSDB). This project provides technical assistance to LEAs on issues related to providing FAPE in the LRE to students with deaf-blindness.

The OPI again provided funding to the MSDB to support its outreach services which provided training and support to LEAs regarding the evaluation and provision of special education and related services to students with low-incidence disabilities.

2. Using compliance monitoring procedures, continue to review LEAs documentation to ensure placement decisions are made in accord with IDEA and state regulations.

The OPI conducts on-site monitoring visits to every LEA in Montana on a 5-year compliance monitoring cycle. The process includes a record review to determine LEA compliance with the IDEA requirements. Any incidence of noncompliance with the IDEA regulations is identified to the LEA and must be corrected within a short timeframe. During the 2006-2007 school year 39 incidences of noncompliance with the LRE requirements were identified. All identified incidences of noncompliance were corrected. During the 2007-2008 school year, three (3) incidences of noncompliance with the LRE requirements were identified in two (2) LEAs during on-site compliance monitoring. All incidences of noncompliance were corrected in a timely manner, and in no case did the correction occur more than one year following identification.

3. Continue to provide training for general education personnel on strategies to use in responding to students with disabilities needs in the regular education setting.

The SPDG and IDEA funds support training activities for general education personnel to provide them with the skill sets to respond to students with disabilities needs in the regular education classroom. Additionally, regular education personnel may participate in any training offered through the CSPD regions or OPI training activities. Division of Special Education staff provided workshops for general education teachers as a part of the MEA/MFT conference, as well as at other state conferences and CSPD workshops. The annual MBI conference has been extremely successful in providing general education personnel the skills necessary to implement positive supports in the regular education setting.

4. Provide training on the use of technology as access to the general curriculum.

The OPI provides a technical assistance document titled “Assistive Technology” on its Web site at <http://www.opi.mt.gov/PDF/SpecED/guides/AssistiveTechGuide.pdf>. This document continued to be useful in assisting school personnel in making decisions regarding the use of technology as a means of access to the general curriculum. Additionally, Montana’s five (5) CSPD regions provided professional development opportunities for LEA staff regarding the use of assistive technologies.

5. Continue to provide technical assistance to LEAs on educational practices that provide opportunities for children with disabilities to be educated with nondisabled peers.

The OPI continued to support its strong Comprehensive System of Personnel Development (CSPD) system to provide targeted professional development activities to LEA staff. The five (5) regional CSPD councils presented professional development based on the needs of the LEAs in their region. In addition, each CSPD region presented professional development activities based on an analysis of regional APR data provided by the OPI and on the results of the Levels of Determination for LEAs in the region. During the 2008-2009 school year the OPI continued its work with the CSPD regional directors to more closely align the professional development activities provided with the APR indicators. Each region worked to refine the collection outcome data related to the professional development activities which will allow for closer examination of the effectiveness of the professional development.

The CSPD regions provided professional development on topics such as: Differentiated Instruction; managing resistant behaviors; strengthening instructional practices; response to intervention; and numerous paraeducator academies.

6. Initiate training on Universal Design.

The OPI continued to support the *We Teach All* initiative which provided professional development and support to schools implementing differentiated instruction. These schools continued to request additional training to increase program effectiveness.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008

[If applicable]

Revisions were made to the Indicator, Measurement, and Target language in the State Performance Plan to align with the language of the 618 State-reported data. The revised State Performance Plan will be available online at: www.opi.mt.gov/Programs/SpecialEd/Index.html.

1. Revision to Improvement Activity #6: the improvement activity is revised to read: Provide training on Universal Design. The OPI initiated this training during the 2006-2007 school year and has continued to support this initiative. The change in language reflects the ongoing nature of this project.

Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: FAPE in the LRE**Indicator 6:** Percent of children aged 3 through 5 with IEPs attending a:

- A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and
- B. Separate special education class, separate school or residential facility.

(20 U.S.C. 1416(a)(3)(A))

Measurement:

A. Percent = [(# of children aged 3 through 5 with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.

B. Percent = [(# of children aged 3 through 5 with IEPs attending a separate special education class, separate school or residential facility) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.

FFY	Measurable and Rigorous Target
2008 (2008-2009)	

Actual Target Data for FFY 2008:

In accord with OSEP instructions for the Part B State Performance Plan and Annual Performance Report, states are not required to report on this Indicator for FFY 2008.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008:**

[If applicable]

.Part B State Annual Performance Report (APR) for 2008

Monitoring Priority: FAPE in the LRE

Indicator 8: Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

(20 U.S.C. 1416(a)(3)(A))

Measurement: Percent = [(# of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities) divided by the (total # of respondent parents of children with disabilities)] times 100.

FFY	Measurable and Rigorous Target
2008 (2008-2009)	Given a minimum N of 10, the Parent Involvement Percentage will be 66% within a 95% confidence interval.

Actual Target Data for FFY 2008 (2008-2009 school year)

Table 8.1 below provides the results of the parent survey conducted in the 2008-2009 school year.

Table 8.1 Percent of Parents Who Report the School Facilitated Their Involvement

	FFY 2008
Total number of Parent respondents	1139
Number who reported school facilitated their involvement	830
Percentage who reported school facilitated their involvement	72.9%

In FFY 2008 for those LEAs who were to be monitored in the 2009-10 school year, all parents of students ages 3-21 receiving special education services during the 2008-09 school year were asked to complete and then mail the survey to Mountain Plains Regional Resource Center (MPRRC). Parents were assured of anonymity. A total of 4,785 surveys were distributed and 1,139 were returned for a response rate of 23.8 percent.

In order to report on this indicator, each of the 1,139 survey respondents received a percent of maximum score based on their responses to all 26 items. A respondent who rated their experiences with the school a "6" (Very Strongly Agree) on each of the 26 items received a 100 percent score; a respondent who rated their experiences with the school a "1" (Very Strongly Disagree) on each of the 26 items received a 0 percent score. A respondent who rated their experiences with the school a "4" (Agree) on each of the 26 items received a 60 percent score. (Note: a respondent who **on average** rated their experiences a "4", e.g., a respondent who rated 8 items a "4," 9 items a "3" and 9 items a "5," would also receive a percent of maximum score of 60 %.) A parent who has a percent of maximum score of 60 percent or above was identified as one who reported that the school facilitated his/her involvement. A 60 percent cut-score is representative of a parent who, on average, agrees with each item; as such, the family member is agreeing that the school facilitated their involvement.

Reliability and Validity

The representativeness of the surveys was assessed by examining the demographic characteristics of the children of the parents who responded to the survey to the demographic characteristics of all special education students. This comparison indicates the results are representative (1) by geographic region where the child attends school; (2) by size of district where the child attends school; (3) by the race/ethnicity of the child; and (4) by the age of the child. For example, 89 percent of the parents who returned a survey indicated that their children are white, and 85 percent of special education students in the monitored districts are white. Another example is 34 percent of the parents who returned a survey indicated that their children have a specific learning disability, and 44 percent of special education students in the monitored districts have a specific learning disability. However, even given these slightly differential response rates, a large enough number of parents from each demographic group responded to the survey in order to arrive at an overall state score that is representative of all students in the population. Weighting of survey responses was not necessary given the representativeness of the respondents and the lack of significant differences among groups of respondents.

Trend data of school-facilitated parental involvement are presented in Table 8.2 below.

Table 8. 2 Percent of Parents Who Report the School Facilitated Their Involvement Trend Data

	FFY 2005	FFY 2006	FFY 2007	FFY 2008
Total number of Parent respondents	539	533	539	1139
Number who reported school facilitated their involvement	353	367	334	830
Percentage who reported school facilitated their involvement	65.5%	68.9%	62.0%	72.9%

As indicated in Table 8.2, the percentage of parents who reported that the school facilitated their involvement increased significantly from FFY 2007 to FFY 2008. This data indicate, in general, parents report a high level of satisfaction with the LEAs' attempts to facilitate their involvement as a means of improving services and results for children with disabilities.

Assessing State Progress in Meeting the FFY 2008 Performance Target

The data presented in Table 8.3 below is used to assess the state's progress in meeting the performance target for FFY 2008.

Table 8. 3 Montana Performance Target Status for FFY 2008

School Year	Number who reported school facilitated their involvement	Total number of Parent respondents	Percentage who reported school facilitated their involvement	Confidence Interval - High	Confidence Interval - Low	SPP Performance Target	State Performance Status
2008-2009	830	1139	72.9%	75.4%	70.2%	66.0%	Met Target

For FY 2008, the state's established performance target for this indicator is **66.0** percent. The results of the parent survey for the 2008-2009 school year indicate that the percent of parent respondents who reported the school facilitated their involvement is **72.9** percent. Montana has **met** this performance target.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2008

Montana met its performance target for this indicator. The results of the parent survey show a significant increase in the percentage of parents who reported that the school facilitated their involvement from 62.0 percent in FFY 2007 to 72.9 percent for FFY 2008. Also, a significant increase was noted in the response rate for FFY 2008. The response rate for FFY 2007 was 15.4 percent and this increased to 23.8 percent for FFY 2008. From these results, it appears that the strategies that Montana employed to increase parent response rates and parental involvement in their child's education have been effective.

Improvement Activities Completed

- 1. The OPI will continue to work with the parent training and information center, Parents, Let's Unite for Kids (PLUK), to seek and encourage parents to become involved with their child's educational program.**

The OPI continued to provide grant monies to the parent training center (PLUK) to support the organizations efforts to provide training and information to improve parental involvement. The PLUK has been instrumental in providing parents with information on rules, regulations, instructional strategies and ways in which parents can be effectively involved in their child's education.

- 2. The OPI, with the support of its regional CSPD structure, will share strategies and best practices with school personnel and LEAs on improving parental involvement.**

The OPI continued to support its strong Comprehensive System of Personnel Development (CSPD) system to provide targeted professional development activities to LEA staff. The five (5) regional CSPD councils presented professional development based on the needs of the LEAs in their region. In addition, each CSPD region presented professional development activities based on an analysis of regional APR data provided by the OPI and on the results of the Levels of Determination for LEAs in the region. During the 2008-2009 school year the OPI continued its work with the CSPD regional directors to more closely align the professional development activities provided with the APR indicators. Each region worked to refine the collection of outcome data related to the professional development activities which will allow for closer examination of the effectiveness of the professional development.

- 3. The OPI will continue to make available special education information on its Web site to keep parents informed.**

The OPI places all of its technical assistance materials on its Web site and frequently updates these materials to ensure the most current information is available to LEA staff and the general public. Additionally, the OPI maintains a Parent Information page on its Web site to facilitate parent access to the information regarding various programs, including special education.

- 4. The OPI will develop technical assistance documents to provide LEA staff with effective strategies for facilitating parental involvement in special education.**

The OPI began development of written materials to support LEA staff in working to increase parent involvement in the education process. When completed these materials will be distributed to LEAs and posted to the OPI Web site. It is expected that these materials will be vetted and available during the 2009-2010 school year.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines /
Resources for FFY 2008**

[If applicable]

There were no changes made to the survey in FFY 2008 (2008-2009 school year). Therefore, we have not included a copy of the survey in the Appendix to this Annual Performance Report. In addition, no changes to this Indicator have been made in the State Performance Plan.

Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: Disproportionality

Indicator 9: Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

Measurement:

Percent = [(# of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification) divided by the (# of districts in the state)] times 100.

Definition of Disproportionate Representation

An LEA is determined to have **disproportionate representation** (under or over) if, given a minimum N of 10 and within a 99 percent confidence interval, an LEA demonstrates a statistically significant difference in the proportion of students with disabilities of a specific racial/ethnic group receiving special education and related services compared to the proportion of students with disabilities in all other racial/ethnic groups receiving special education and related services in that LEA.

Once an LEA is flagged for disproportionate representation, the policies and procedures of that LEA are reviewed to determine if the disproportionate representation is due to inappropriate identification.

FFY	Measurable and Rigorous Target
2008 (2008-2009)	Given a minimum N of 10, the percent of LEAs with disproportionate representation of racial and ethnic groups in special education and related services resulting from inappropriate identification is 0% within a 99% confidence interval.

Actual Target Data for FFY 2008 (2008-2009 School Year)

Target data on the identification of LEAs as having disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification is shown below in Table 9.1. The data source for the calculation of disproportionate representation is the IDEA – Part B Child Count data for children with disabilities ages 6 through 21 as reported in *Table 1 Report of Children with Disabilities Receiving Special Education Under Part B of the Individuals with Disabilities Education Act*.

Table 9.1 Disproportionate Representation Due to Inappropriate Identification Procedures for FFY 2008

School Year	Number of LEAs Reviewed (a)	Number of LEAs Identified with Disproportionate Representation	Number of LEAs Identified with Disproportionate Representation Due to Inappropriate Identification Procedures (b)	Percent of LEAs Identified with Disproportionate Representation Due to Inappropriate Identification Procedures % = (b/a) * 100
2008-2009	420	1	0	0.0%

Analysis of Target Data for FFY 2008 (2008-2009 School Year)

Table 9.1 above shows that, in the 2008-2009 school year, race/ethnicity data were reviewed for 420 LEAs in Montana. Using a minimum N of 10 and a 99 percent confidence interval, a test of difference between proportions was used to measure statistically significant differences between the special education identification rate for students of a specific racial and ethnic group and the special education identification rate for all other students within that LEA. Target data show that **one** of the 420 LEAs demonstrated a statistically significant difference, resulting in determination of disproportionate representation of racial and ethnic groups in special education and related services. Further, target data show that the LEA identified with disproportionate representation was **not** determined to have disproportionate representation due to inappropriate identification.

Racial and ethnic disproportionality data for the LEA identified with disproportionate representation is presented in Table 9.2 below.

Table 9.2 Montana LEAs with Disproportionate Representation for FFY 2008

LEA	Racial and Ethnic Group	Reference Group Count ¹ (a)	Reference Group Enrollment ² (b)	Comparison Group Count ³ (c)	Comparison Group Enrollment ⁴ (d)	Reference Group Pct % = (a/b) * 100	Comparison Group Pct % = (c/d) * 100	Disproportionate Representation Status
District 1	American Indian / Alaskan Native	69	306	571	4943	22.5%	11.6%	Over-Representation

¹The number of students with disabilities for the specified racial and ethnic group in the LEA, as reported in the IDEA-Part B Special Education Child Count on December 1st.

²The number of students for the specified racial and ethnic group enrolled in the LEA, as reported in the OPI Annual Data Collection on October 1st.

³The number of students with disabilities in all other racial and ethnic groups in the LEA, as reported in the IDEA-Part B Special Education Child Count on December 1st.

⁴The number of students in all other racial and ethnic groups enrolled in the LEA, as reported in the OPI Annual Data Collection on October 1st.

LEA Review

A review of LEA racial and ethnic disproportionality data in Table 9.2 above indicates that one LEA shows *over-representation* in the number of students with disabilities receiving special education and related services that are reported as American Indian/Alaskan Native. Based on the review of 618 data for FFY 2008, the OPI informed the LEA of its determination and conducted a review of the LEA's policies, practices and procedures to ensure identification was not the result of inappropriate identification. The LEA review included review of selected student files, review of LEA policies, practices and procedures, the most current compliance monitoring data, and selected interviews with LEA staff. As a result of this process, the OPI determined that the disproportionate representation (over-representation) they identified was NOT the result of inappropriate identification.

Assessing State Progress in Meeting the FFY 2008 Performance Target

The data presented in Table 9.3 below is used to assess the state's progress in meeting its performance target for FFY 2008 (2008-2009 school year). Based on a minimum N of 10 and within a 99 percent confidence interval, the state set a target that the percent of LEAs with disproportionate representation (both under and over) of racial and ethnic groups receiving special education and related services resulting from inappropriate identification will be **0** percent.

Table 9.3 Montana Performance Target Status for FFY 2008

School Year	Number of LEAs Reviewed (a)	Number of LEAs Identified with Disproportionate Representation Due to Inappropriate Identification Procedures (b)	Percent of LEAs Identified with Disproportionate Representation Due to Inappropriate Identification Procedures $\% = (b/a) * 100$	SPP Performance Target	State Performance Status
2008-2009	420	0	0.0%	0.0%	Met Target

For FFY 2008 (2008-2009 school year), **0** percent of LEAs were identified with disproportionate representation due to inappropriate identification procedures. The established performance target for FFY 2008 as reported in our State Performance Plan is **0** percent. Therefore, Montana has **met** its performance target for this indicator.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2008 (2008-2009 School Year)

Montana met its target for this indicator. A review of LEA data indicated that one (1) LEA had an over-representation of American Indian/Alaskan Native students in special education. Following the determination of disproportionate representation, the OPI contacted the LEA and conducted a review of LEA policies, procedures and practices, interviewed selected LEA staff, and reviewed selected student files. Following this analysis, the OPI determined that no findings of disproportionate representation as a result of inappropriate identification were appropriate.

Improvement Activities Completed**1. The OPI will provide comprehensive training to selected LEAs regarding the use of Response to Intervention (RTI).**

During FFY 2008, The OPI began to bring to scale the Montana Response to Intervention project. The project is a major scaling-up of the pilot project that involved four (4) schools from across Montana. Based on the results of this pilot the OPI expanded the project to include forty-four (44) elementary schools and twelve (12) middle and high schools. This project provided eight (8) full days of training for school staff and an on-site consultant to assist RTI problem-solving teams in implementing the model in their school. Building problem-solving and intervention capacity in schools also greatly increases the ability of students with disabilities to receive instruction in the regular classroom setting.

In addition to the OPI RTI project, the five (5) CSPD regions also began to provide training to LEA-level teams on the RTI process.

2. The OPI will continue collaboration with Reading First on early intervention strategies.

Special education division staff continued to collaborate with the OPI Reading specialist to provide technical assistance to LEAs regarding effective strategies for use with students with disabilities. During the 2008-2009 school year the OPI added additional content area specialists and the Special Education division staff worked closely with each specialist to provide LEAs with content-specific intervention strategies.

3. Provide technical assistance to schools in collaboration with the Division of Indian Education for All on instructional strategies in general education that may lead to fewer American Indian students identified as needing special education.

The OPI Special Education Division staff continued to collaborate with the Division of Indian Education staff on the development and delivery of professional development related to the unique needs of Montana's American Indian students. An understanding of American Indian culture and factors that lead to reduced outcomes for American Indian students are felt to be a critical component in improving the achievement of American Indian students.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009 School Year)

[If applicable]

1. Revision to Improvement Activity #2: Improvement activity #2 was revised to read: The Special Education Division will collaborate with OPI's curriculum specialists to provide technical assistance to LEAs regarding intervention strategies. The OPI has added content area curriculum specialists who offer technical assistance to LEAs regarding various curricular areas. The Special Education division staff will work with these specialists to develop technical assistance.

Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: Disproportionality

Indicator 10: Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

Measurement:

Percent = [(# of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification) divided by the (# of districts in the state)] times 100.

Definition of Disproportionate Representation

An LEA is determined to have **disproportionate representation** (under or over) if, given a minimum N of 10, an LEA demonstrates a statistically significant difference in the proportion of students with disabilities of racial and ethnic groups within a specific disability category receiving special education and related services compared to the proportion of students with disabilities of all other racial and ethnic groups and within all other disability categories receiving special education and related services in that LEA, within a 99 percent confidence interval.

Once an LEA is flagged for disproportionate representation, the policies and procedures of that LEA are reviewed to determine if the disproportionate representation is due to inappropriate identification.

FFY	Measurable and Rigorous Target
2008 (2008-2009)	Given a minimum N of 10, the percent of LEAs with disproportionate representation of racial and ethnic groups in specific disability categories that is a result of inappropriate identification is 0% within a 99% confidence interval.

Actual Target Data for FFY 2008 (2008-2009 School Year)

Target data on the identification of LEAs as having disproportionate representation of racial and ethnic groups in special education and related services in specific disability categories that is the result of inappropriate identification is shown below in Table 10.1. The data source for the calculation of disproportionate representation is the IDEA – Part B Child Count data for children with disabilities ages 6 through 21 as reported in *Table 1 Report of Children with Disabilities Receiving Special Education Under Part B of the Individuals with Disabilities Education Act*.

Table 10. 1 Disproportionate Representation Due to Inappropriate Identification Procedures for FFY 2008

School Year	Number of LEAs Reviewed (a)	Number of LEAs Identified with Disproportionate Representation	Number of LEAs Identified with Disproportionate Representation Due to Inappropriate Identification Procedures (b)	Percent of LEAs Identified with Disproportionate Representation Due to Inappropriate Identification Procedures % = (b/a)*100
2008-2009	420	0	0	0.0%

Analysis of Target Data for FFY 2008 (2008-2009 School Year)

Target data above show that of 420 LEAs examined to identify disproportionate representation of racial and ethnic groups in specific disability categories receiving special education and related services, none were identified as having a disproportionate representation of racial and ethnic groups in specific disability categories for the 2008-2009 school year. Further, none were identified as having disproportionate representation of racial/ethnic groups due to inappropriate identification procedures.

Assessing State Progress in Meeting the FFY 2008 Performance Target

The data presented in Table 10.2 below is used to assess the state's progress in meeting its performance target for FFY 2008 (2008-2009 school year). Based on a minimum N of 10 and within a 99 percent confidence interval, the state set a target that the percent of LEAs with disproportionate representation (both under and over) of racial and ethnic groups in specific disability categories that is the result of inappropriate identification will be **0** percent.

Table 10. 2 Montana Performance Target Status for FFY 2008

School Year	Number of LEAs Reviewed (a)	Number of LEAs Identified with Disproportionate Representation Due to Inappropriate Identification Procedures (b)	Percent of LEAs Identified with Disproportionate Representation Due to Inappropriate Identification Procedures % = (b/a)*100	SPP Performance Target	State Performance Status
2008-2009	420	0	0.0%	0.0%	Met Target

For FFY 2008 (2008-2009 school year), **0** percent of LEAs were identified with disproportionate representation due to inappropriate identification procedures. The established performance target for FFY 2008 as reported in our State Performance Plan is **0** percent. Therefore, Montana has **met** its performance target for this indicator.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2008 (2008-2009 School Year)

Montana continued to meet the state's target for this indicator. Again, for FFY 2008, no LEAs were found to have disproportionate representation of racial and ethnic groups in specific disability categories.

The OPI continued to provide extensive training on topics related to identification of students as students with disabilities under the IDEA. School improvement compliance monitors provided a workshop for new special education teachers in the fall of 2008 on special education requirements, including all child find requirements. Training was also provided during the annual CEC, MCASE and MEA/MFT conferences. The OPI also began the scaling up of the RTI project to include training for school staff from forty-four (44) elementary schools and twelve (12) middle and high schools. Additional LEA teams received training in the RTI process through the five (5) CSPD regions. This training was instrumental in helping LEA staff respond to learning differences early and to provide instructional interventions in a setting outside of special education.

Improvement Activities Completed:**1. The OPI will provide training and technical assistance to LEAs on Early Intervening strategies.**

During FFY 2008, Montana's five (5) CSPD regions provided training to LEA staff on many topics related to early intervention. Those topics included, but were not limited to, the following: scientific, research-based approaches to teaching reading, writing and mathematics; positive behavioral interventions and supports; school safety; nutrition; and the foundations of developing a response to intervention/problem-solving approach at the local level.

2. The OPI will continue collaboration with Reading First on early intervention strategies.

Special education division staff continued to collaborate with the OPI Reading specialist to provide technical assistance to LEAs regarding effective strategies for use with students with disabilities. During the 2008-2009 school year the OPI added additional content area specialists and the Special Education Division staff worked closely with each specialist to provide LEAs with content-specific intervention strategies.

3. Provide technical assistance to schools in collaboration with the Division of Indian Education for All on instructional strategies in general education that may lead to fewer American Indian students identified as needing special education.

The OPI Special Education Division staff continued to collaborate with the Division of Indian Education staff on the development and delivery of professional development related to the unique needs of Montana's American Indian students. An understanding of American Indian culture and factors that lead to reduced outcomes for American Indian students are felt to be a critical component in improving the achievement of American Indian students.

4. The OPI will provide comprehensive training to selected LEAs regarding the use of Response to Intervention (RTI).

During FFY 2008, The OPI began to bring to scale the Montana Response to Intervention project. The project is a major scaling-up of the pilot project that involved four (4) schools from across Montana. Based on the results of this pilot the OPI expanded the project to include forty-four (44) elementary schools and twelve (12) middle and high schools. This project provided eight (8) full days

of training for school staff and an on-site consultant to assist RTI problem-solving teams in implementing the model in their school. Building problem-solving and intervention capacity in schools also greatly increases the ability of students with disabilities to receive instruction in the regular classroom setting.

In addition to the OPI RTI project, the five (5) CSPD regions also began to provide training to LEA-level teams on the RTI process.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009 School Year)

[If applicable]

2. Revision to Improvement Activity #2: Improvement activity #2 was revised to read: The Special Education Division will collaborate with the OPI's curriculum specialists to provide technical assistance to LEAs regarding intervention strategies. The OPI has added content area curriculum specialists who offer technical assistance to LEAs regarding various curricular areas. The Special Education Division staff will work with these specialists to develop technical assistance.

Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: Effective General Supervision Part B / Child Find

Indicator 11: Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the state establishes a timeframe within which the evaluation must be conducted, within that timeframe.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

- a. # of children for whom parental consent to evaluate was received.
- b. # of children whose evaluations were completed within 60 days (or state-established timeline).

Account for children included in a, but not included in b. Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.

Percent = [(b) divided by (a)] times 100.

FFY	Measurable and Rigorous Target
2008 (2008-2009)	100% of children, with parental consent to evaluate, were evaluated within 60 days unless there was an exception to the timeframe in accord with the provisions stated in Sec. 614(a)(1)(C)(ii).

Actual Target Data for FFY 2008 (2008-2009 School Year)

Table 11.1 below presents the FFY 2008 target data on the number of children, with parental consent to evaluate, who were evaluated within 60 days unless there was an exception to the timeframe in accord with the provisions stated in Sec. 614(a)(1)(C)(ii). The data are taken from compliance monitoring data for the 2008-2009 school year. School Improvement/Compliance specialists reviewed the files of 152 students for whom parent consent was granted and who were initially evaluated for special education eligibility.

Table 11. 1 Percent of Children, with Parent Consent, Evaluated Within a 60-day Timeline for FFY 2008

School Year	Number of children for whom parental consent to evaluate was received (a)	Number whose evaluations were completed within 60 days (b)	Percent Evaluated within 60 days % = b/a * 100
2008-2009	152	137	90.1%

Analysis of Target Data for FFY 2008 (2008-2009 School Year)

For FFY 2008, **90.1** percent of the students with parent consent to evaluate were evaluated within the 60-day timeline. This is a decrease of 1 percent from the previous year (see Table 11.2 below).

Table 11.2 Children with Parent Consent Evaluated Within a 60-day Timeline Trend Data

School Year	Number of children for whom parental consent to evaluate was received (a)	Number whose evaluations were completed within 60 days (b)	Percent Evaluated within 60 days % = b/a * 100
2006-2007	260	222	85.4%
2007-2008	146	133	91.1%
2008-2009	152	137	90.1%

Range of Days and Reasons for Delay

For FFY 2008, target data indicate that 15 evaluations were not completed within the 60-day timeline. The evaluations not completed within the 60-day timeline were from eight LEAs, representing 10.8 percent of the LEAs participating in the compliance monitoring for the 2008-2009 school year. A review of the records indicate the number of days range from two days to 104 days beyond the 60-day timeline. Reasons for the delay included "district staff did not complete the evaluation in 60-days," "school not in session for part of the 60-day timeline (winter vacation)," and "No reason given."

Assessing State Progress in Meeting the FFY 2008 Performance Target

The data presented in Table 11.3 below is used to assess the state's progress in meeting its performance target for FFY 2008 (2008-2009 school year).

Table 11.3 Montana Performance Target Status for FFY 2008

School Year	Number of Children for whom Parent Consent to Evaluate was Received	Number of Children whose Evaluations were Completed within 60 days	Percent of Children with Parent Consent Evaluated within 60 days	SPP Performance Target	State Performance Status
2008-2009	152	137	90.1%	100.0%	Did Not Meet Target

The state's established target for this indicator is **100** percent. Target data show that the performance measure for this indicator is **90.1** percent. Therefore, Montana **did not meet** its performance target.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2008 (2008-2009 School Year)

Montana did not meet the target of 100 percent compliance for this indicator. Data for this indicator are based on compliance monitoring record review samples. The OPI conducts on-site monitoring record reviews in each LEA in Montana on a five (5) year cycle. In each LEA that is subject to monitoring the OPI reviews records for students who have been subject to an initial evaluation during the preceding year. This assures that the OPI reviews current LEA practices and procedures for conducting initial evaluations both for students who are determined eligible for special education and for those who are not.

During FFY 2008, fifteen (15) incidents of noncompliance with the 60-day timeline were noted in eight (8) LEAs. For all noted incidents, the evaluation had been completed at the time of the monitoring

record review and these incidents were deemed corrected. Thus, all 15 incidents were corrected in a timely manner. No district was issued a corrective action based on this requirement.

In FFY 2007, Montana reported thirteen (13) incidents of noncompliance with the 60-day timeline requirement. For all noted incidents, the OPI staff verified that the LEA had completed the initial evaluation and that each LEA was implementing all of the requirements of IDEA regarding the initial eligibility evaluation of children.

For the FFY 2006 APR Montana reported thirty-eight (38) incidents of noncompliance with this requirement. All thirty-eight (38) incidents were corrected within a timely manner. For all noted incidents, the OPI staff verified that the LEA had completed the initial evaluation and that each LEA was implementing all of the requirements of IDEA regarding the initial eligibility evaluation of children. These incidents resulted in findings of noncompliance being issued to four (4) LEAs. Follow-up reviews of district practices confirmed correction of the findings of noncompliance in a timely manner. All four (4) LEAs completed the required corrective actions within one (1) year of the findings being issued and the OPI verified that each LEA was implementing all of the requirements of IDEA regarding the initial eligibility evaluation of children.

The OPI continued to be concerned with the data indicating less than 100 percent of students with initial parental consent were evaluated within 60 days. The OPI continued to provide technical assistance to LEAs regarding methods for ensuring compliance with this requirement. Also, during FFY 2008 the OPI began the roll out of the statewide student database system special education module. This module contains the special education records tool and has been developed to include a notification system that will send e-mail reminders to LEA staff and administration regarding pending timelines. The OPI feels that this system will have a great impact on LEA compliance with all timeline requirements.

Improvement Activities Completed

1. Provide technical assistance and training to LEAs on timeline requirements.

The OPI provided technical assistance to LEAs regarding the timeline requirements in IDEA. Each fall the OPI school improvement/compliance monitoring staff conducts a full-day training for special educators across Montana regarding the requirements of IDEA, including an emphasis on the timeline requirements and practices designed to increase compliance with those requirements. Additionally, OPI Special Education Division staff provided training to general educators, special educators, administrators, and parents regarding the IDEA requirements through sessions at the statewide CEC, MCASE, and MEA-MFT conferences, as well as during training sessions provided to LEAs participating in the compliance monitoring process.

2. The OPI will provide training to LEA staff regarding the use of the special education module in AIM.

Beginning in February 2009, the OPI rolled out the Special Education Module of the AIM system. This module is the special education records database for the AIM statewide student data system. The LEA staff trainings were conducted across the state throughout the spring, with the remaining training dates scheduled in the Fall of 2009. A train-the-trainers model was used to provide training to individuals selected by each LEA who then could provide training to the remaining LEA staff. This model appeared to work well.

3. The OPI will work with PLUK to ensure parents are knowledgeable of the 60-day timeline.

The OPI continued to provide IDEA Part B funds to support parent training and technical assistance activities for parents. Training and information on state and federal requirements regarding evaluations and procedural compliance topics were provided to PLUK technical assistance providers by the OPI. The director of the Early Assistance Program (EAP) and other Special Education Division

staff also provided on-time assistance to parents and PLUK staff on questions related to evaluations and timelines.

4. The OPI will revise its compliance monitoring procedures to ensure that all instances of noncompliance are identified and corrected in a timely fashion.

Consistent with the guidance provided by OSEP during the Fall of 2008, the OPI undertook a revision of its compliance monitoring procedures. The OPI developed a process that allows it to quickly and clearly identify all incidents of noncompliance with the IDEA regulations and to notify LEAs of these instances of noncompliance in a manner that allows them to be corrected quickly. This system also more clearly documents all incidents of noncompliance and their subsequent correction by the LEA.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009 School Year)

[If applicable]

1. The measurement for this indicator in the State Performance Plan has been revised to reflect revisions found in OSEP's Part B SPP/APR Indicator/Measurement Table (2/09 Revisions/Implications).
2. Revision to Activity #2: The activity: The OPI will provide training to LEA staff regarding the use of the Special Education Module in AIM will be revised to read: The OPI will require LEA use of the Special Education Module in AIM. The OPI will have completed all training in the use of the AIM system during the 2009-2010 school year. Once the training is complete, the OPI will require all LEAs to use the system for all special education record keeping. This system has a notification feature that will help to address all timeline issues, including conducting assessments of students within the 60-day timeline established in the IDEA. This will greatly improve LEA compliance with these requirements.

Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 12: Percent of children referred by Part C prior to age 3 who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

- a. # of children who have been served in Part C and referred to Part B (LEA notified pursuant to 637(a)(9)(A)) for Part B eligibility determination.
- b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to their third birthdays.
- c. # of those found eligible who have an IEP developed and implemented by their third birthdays.
- d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services.
- e. # of children who were referred to Part C less than 90 days before their third birthdays.

Account for children included in a. but not included in b, c, d or e. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed and the reasons for the delays.

Percent = [(c) divided by (a - b - d - e)] times 100.

FFY	Measurable and Rigorous Target
2008 (2008-2009)	100% of students referred by Part C and eligible for Part B will have an IEP developed and implemented by their third birthday.

Actual Target Data for FFY 2008 (2008-2009 School Year)

Table 12.1 below presents the data on children served in Part C and referred to Part B for eligibility determination in the 2008-2009 school year. The data of children referred was reported by Part C providers with LEAs receiving the referrals providing additional data on the eligibility determination.

Table 12.1 Percent of Children with IEPs Developed and Implemented by Third Birthday for FFY 2008

Indicator 12 Measurement		Number and Percent of Children
(a)	Total Children Served in Part C and Referred to Part B for Eligibility Determination	204
(b)	Children found NOT Eligible and Whose Eligibilities were Determined Prior to Their Third Birthday	17
(c)	Children found Eligible for Part B and Who Have an IEP Developed and Implemented by Their Third Birthday	98
(d)	Parent Refusal to Provide Consent Caused Delays in Evaluation or Initial Services	48
(e)	Children who were referred to Part C less than 90 days before their third birthday.	0
$\% = [c/(a-b-d-e)] * 100$	Percent of Children Referred by Part C Prior to Age 3, Who Are Found Eligible for Part B, and Who Have An IEP Developed and Implemented By Their Third Birthdays	70.5%

Analysis of Target Data for FFY 2008 (2008-2009 School Year)

Target data for FFY 2008 (2008-2009 school year) indicate that **70.5** percent of the children referred by Part C prior to age three and found eligible for Part B, have an IEP developed and implemented by their third birthdays. In addition, parent refusal to provide consent caused delays for **48** of the 204 children referred by Part C. Further, 17 of the 204 children referred were found not eligible prior to their third birthdays. The result is **41** of the 204 children referred by Part C (or 20.1 percent) did not have their eligibility determined or an IEP developed and implemented by their third birthdays.

A review of the data for those children not having their eligibility determined or an IEP developed and implemented by their third birthday, show the number of days beyond the third birthday ranges from two days to 167 days. The most common reported number of days was four days. The result is an average number of days delay to be 38 days. Table 12.2 below provides the list of the most common reasons for delay in the eligibility determination and implementing an IEP by the child's third birthday.

Table 12.2 Reason for Delay for FFY 2008

Reason For Delay
Evaluation not completed
Foster placement concerns
Further evaluation necessary
No reason given
Part C agency did not provide evaluation information in a timely manner
Referral received after 3rd birthday
Required further testing
Schedule conflict
Staff unable to attend
Summer/winter vacation
Transition planning meeting held four days prior to the student's birthday.

Trend data indicates a slight **decrease** in the percent of children referred by Part C prior to age three and found eligible for Part B with an IEP developed and implemented by their third birthday between FFY 2007 and FFY 2008 (see Table 12.3 below).

Table 12.3 Montana Trend Data for Indicator 12

Indicator 12 Measurement		FFY 2006	FFY 2007	FFY 2008
(a)	Total Children Served in Part C and Referred to Part B for Eligibility Determination	107	167	204
(b)	Children found NOT Eligible and Whose Eligibilities were Determined Prior to Their Third Birthday	5	7	17
(c)	Children found Eligible for Part B and Who Have an IEP Developed and Implemented by Their Third Birthday	51	93	98
(d)	Parent Refusal to Provide Consent Caused Delays in Evaluation or Initial Services	19	30	48
(e)	Children who were referred to Part C less than 90 days before their third birthday.			0
% = [c/(a-b-d-e)] * 100	Percent of Children Referred by Part C Prior to Age 3, Who Are Found Eligible for Part B, and Who Have An IEP Developed and Implemented By Their Third Birthdays	61.4%	71.5%	70.5%

Assessing State Progress in Meeting the FFY 2008 Performance Target

The data presented in Table 12.4 below is used to assess the state's progress in meeting its performance target for FFY 2008. The state's established target for this indicator is **100** percent of students referred by Part C and eligible for Part B will have an IEP developed and implemented by their third birthday.

Table 12.4 Montana Performance Target Status for FFY 2008

School Year	Number of Children Referred By Part C to Part B for Eligibility Determination	Children found Eligible for Part B and Who Have an IEP Developed and Implemented by Their Third Birthday	Percent of Children Referred by Part C Prior to Age 3, Who Are Found Eligible for Part B, and Who Have An IEP Developed and Implemented By Their Third Birthdays	SPP Performance Target	State Performance Status
2008-2009	204	98	70.5%	100.0%	Did Not Meet Target

Target data for FFY 2008 indicate the percent of children referred by Part C, found eligible for Part B and who have an IEP developed and implemented by their third birthday, is **70.5** percent, while the established performance target is **100** percent. Therefore, Montana **did not meet** its performance target.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2008 (2008-2009 School Year)

Montana did not meet its target for this indicator. The data for FFY 2008 indicated a slight decrease in the percent of children referred from Part C prior to age 3 who were found eligible and had an IEP developed by their third birthday. The percent changed from 71.5 percent in FFY 2007 to 70.5 percent in FFY 2008. While a change of 1 percent is not statistically significant, it does represent stagnation in the progress that had been made toward the 100 percent target.

For FFY 2008, at the time of data collection, the evaluation process and IEP development had occurred for all children for whom the eligibility determination had not been made or an IEP developed by their third birthday. Based on this, all instances of noncompliance with this requirement had been corrected in a timely manner. In the FFY 2007 APR, 37 incidents of noncompliance were noted regarding the Part C to Part B referral requirements. In all cases the eligibility determination and IEP development had occurred prior to the data collection. In all instances the noncompliance had been corrected in a timely fashion. The correction of all individual instances of noncompliance was verified through a desk audit. In each instance, the LEA had developed and implemented an IEP for children who were determined to be eligible. The OPI Special Education Division staff provided technical assistance to each LEA that had an identified instance of noncompliance with the Part C to Part B transition requirements to ensure that the LEA staff understood how to meet the requirements. Despite this, it was noted that five LEAs that had identified instances of noncompliance in FFY 2007 also had instances of noncompliance in FFY 2008. For this reason, the OPI could not verify that these LEAs were correctly implementing the specific regulatory requirements. These LEAs will be subject to additional improvement activities.

The OPI continued to work with representatives of the Part C lead agency to improve the transition for children from Part C to Part B. These efforts included working with the Part C lead agency staff to improve data collection practices and bringing together Part C providers and LEA staff to provide technical assistance regarding the transition requirements and strategies to improve communication between agencies to facilitate the timely transition of children from Part C to Part B services.

The OPI uses a census-level data collection for this indicator. The Part C providers submit information regarding all children referred to a school district to the OPI. The OPI collates this data and provides it to the LEAs for verification and submission of the required timeline information. By using this method, the OPI can account for all children who transition from Part C to Part B. The OPI continued to work with the Part C lead agency and the Mountain Plains Regional Resource Center staff to improve this collection process. In continuing this work the OPI staff will be working with the Part C and MPRRC people to develop clear and consistent guidance for both Part C agency and LEA staff to increase the understanding of roles and responsibilities and to improve transition outcomes for children who are moving from Part C to Part B services.

Improvement Activities Completed**1. Continue to monitor for procedural compliance, as well as to review data from due process, mediations, and complaints.**

The OPI continued to implement its cycle of compliance monitoring visits to LEAs during the 2008-2009 school year. In each LEA the compliance monitoring process included a sample of records for children who had been referred from Part C to Part B. No corrective actions were issued as a result of these reviews.

2. Continue to work with Part C to collect necessary data elements to meet these new data collection requirements for this indicator.

The OPI continued to work with the Part C lead agency to refine the data collection procedures for children transitioning from Part C to Part B. The data collected through this process was determined

to be reliable and valid. The OPI also began the roll out of the Special Education Module in the Achievement in Montana (AIM) statewide student database. This tool contained all necessary data elements to ensure the collection of the data necessary for reporting on this indicator.

3. The OPI will work with its contractor to ensure the SERIMS includes necessary data elements to address this performance indicator.

In January 2009, the Special Education Division began the roll out of the Special Education Module in the statewide student database (AIM). This tool is the special education records management and data collection tool that will be used to create and house student records and to provide data for special education reporting purposes. The special education module was made available to LEAs and OPI staff began providing training on the use of the system to LEA staff. A train-the-trainers model was used and training was provided across the state throughout the spring of 2009. It is anticipated that the LEA staff training will be completed by December 2009 and full implementation of the AIM Special Education Module will occur early in 2010.

4. Continue to provide TA and training on effective child find practices and transition from Part C to Part B.

The OPI continued to provide training on effective child find practices, including procedures for ensuring smooth transition of children from Part C to Part B as a part of the annual All Teacher training provided each fall to all interested LEA staff. Additional training was offered through procedural compliance workshops and training provided to selected LEAs and Part C providers.

5. Fully Implement the SERIMS to ensure all data elements are collected.

The OPI completed the third year of implementation of the Achievement in Montana (AIM) student database system. This system is the general education record system that collects census, demographic and assessment data for all students enrolled in public schools. The Special Education Module is a tool within the broader AIM system that is used to develop and store students' special education records. The Special Education Division released the Special Education Module in January 2009 and immediately began providing training to LEA staff in the use of the tool. This training is expected to be concluded during the 2009-2010 school year and full implementation will be completed at that time. All special education records will be required to be in the system by the spring of 2010.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009 School Year)

[If applicable]

1. The measurement for this indicator has been revised in the State Performance Plan by adding the exception to the timeline – subcategory (e).

2. Activity Completed: Improvement Activity #3: The OPI will work with its contractor to ensure the SERIMS includes necessary data elements to address this performance indicator, has been completed. The AIM Special Education Module was released in February 2009 and contained all necessary data elements for special education reporting.

3. Revision to activity #2: the activity Continue to work with Part C to collect necessary data elements to meet these new data collection requirements for this indicator is revised to read: The OPI will work with the Part C Lead Agency to develop consistent guidance regarding Part C to Part B transition. An analysis of the data collected regarding this indicator showed that a frequent issue

causing delays in the evaluation and IEP development for children transitioning from Part C to Part B was a lack of clear communication between the Part C providers and the LEAs. The goal of this activity will be to address those communication issues and provide consistent guidance to both Part C and Part B agencies to ensure more fluid transition for children by age 3.

Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 13: Percent of youth with IEPs, aged 16 and above, with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based on an age-appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = [(# of youth with IEPs, aged 16 and above, with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based on an age-appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority) divided by the (# of youth with an IEP age 16 and above)] times 100.

FFY	Measurable and Rigorous Target
2008 (2008-2009)	<i>(Insert Measurable and Rigorous Target.)</i>

Actual Target Data for FFY 2008

In accord with OSEP instructions for the Part B State Performance Plan and Annual Performance Report, states are not required to report on this Indicator for FFY 2008.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2008

In its FFY 2007 APR Montana reported on the identified incidents of noncompliance from FFY 2006 and FFY 2007. For FFY 2006, it was reported that 24 instances of noncompliance with the transition requirements were identified, of those 23 were corrected within one year. One incidence of noncompliance was corrected beyond the one-year timeline. All incidents were subsequently corrected. For FFY 2007, 33 instances of noncompliance were noted. All of these instances of noncompliance were corrected in a timely fashion and in no case later than one year from identification.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines /
Resources for FFY 2008**
[If applicable]

Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 14: Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

- A. Enrolled in higher education within one year of leaving high school.
- B. Enrolled in higher education or competitively employed within one year of leaving high school.
- C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

A. Percent enrolled in higher education = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

B. Percent enrolled in higher education or competitively employed within one year of leaving high school = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education or competitively employed within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

FFY	Measurable and Rigorous Target
2008 (2008-2009)	

Actual Target Data for FFY 2008:

In accord with OSEP instructions for the Part B State Performance Plan and Annual Performance Report, states are not required to report on this Indicator for FFY 2008.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines /
Resources for FFY 2008:**
[If applicable]

Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 15: General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible, but in no case later than one year from identification.

(20 U.S.C. 1416 (a)(3)(B))

Measurement:

Percent of noncompliance corrected within one year of identification:

- a. # of findings of noncompliance.
- b. # of corrections completed as soon as possible, but in no case later than one year from identification.

Percent = [(b) divided by (a)] times 100.

States are required to use the "Indicator 15 Worksheet" to report data for this indicator (see Attachment A).

FFY	Measurable and Rigorous Target
2008 (2008-2009)	100% of the findings of noncompliance are corrected within one year from identification.

Actual Target Data for FFY 2008

The following table provides the summary data taken from the completed Attachment 1 - Part B Indicator 15 Worksheet that is attached to this document (see Appendix). The Indicator 15 Worksheet provides a breakout of the number of findings of noncompliance and the timeline for correction grouped by monitoring priority areas and other topical, non-priority areas.

Table 15.1 below presents summary data regarding the number of findings of noncompliance identified in the 2007-2008 School Year and the number of corrections completed as soon as possible, but in no case later than one year from identification.

Table 15.1 Percent of Corrected Noncompliance for FFY 2007 (7/1/07 to 6/30/08)

School Year	Number of LEAs with Findings of Noncompliance identified in FFY 2007 (7/1/07 to 6/30/08) (a)	Number of Findings of Noncompliance from (a) for which Correction was verified No Later Than One Year from Identification (b)	Percent of Noncompliance Corrected Within One Year of Identification %=[(b/a)*100]
2007-2008	67	67	100.0%

The table above indicates there were 67 findings of noncompliance identified in FFY 2007 and all of the findings of noncompliance were corrected within one year of identification.

Assessing State Progress in Meeting the FFY 2008 Performance Target

The data in Table 15.2 below is used to assess Montana's progress in meeting its performance target for FFY 2008. The performance target for this indicator is **100** percent of findings of noncompliance will be corrected within one year from identification.

Table 15.2 Montana Performance Target Status for FFY 2008

School Year	Number of Findings of noncompliance identified in FFY 2007 (7/1/07 – 6/30/08)	Number of Findings of Noncompliance from (a) for which Correction was verified No Later Than One Year from Identification	Percent of Findings of Noncompliance Corrected within One Year Timeline	Spp Performance Target	State Performance Status
2007-2008	67	67	100.0%	100.0%	Met Target

For FFY 2008, the percent of findings of noncompliance corrected within one year of identification is **100** percent and the performance target is **100** percent. Therefore, Montana **met** its performance target.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2008

Montana met its target for this indicator. For FFY 2008 the OPI Special Education Division made sixty-seven (67) findings of noncompliance with the requirements of IDEA. As was noted above, all findings of noncompliance were corrected, and the correction was verified, no later than one year from the identification of the noncompliance.

In the FFY 2007 APR the OPI identified that five (5) findings of noncompliance identified during that fiscal year were not corrected within the one (1) year timeline. All of these findings were made within one LEA and the OPI worked closely with that LEA to ensure subsequent correction of those findings. Therefore, all findings of noncompliance identified during FFY 2007 were verified as corrected by the OPI.

Improvement Activities Completed

1. Revise Focused Intervention activities to better align with SPP indicators.

The OPI completed revision of the Focused Intervention activities during the 2006-2007 school year. Focused Intervention procedures are implemented when, following review of LEA data, there is a determination of significant discrepancy in long-term suspension/expulsion rates and/or there is disproportionate representation. Focused Intervention procedures are also implemented if student outcome data and/or other factors, such as an LEA being at the Needs Assistance Year 3 or Needs Intervention levels on the Levels of Determination, indicate that intervention is necessary.

2. Continue to use the monitoring tracking system to ensure timelines are addressed.

The Special Education Division used a compliance monitoring tracking system to clearly identify all incidence of noncompliance and subsequent findings of noncompliance for each LEA subject to compliance monitoring.

3. Review status of LEAs' corrective actions on a monthly basis and report that status to the monitoring staff.

The School Improvement/Compliance Monitoring Unit Manager was responsible for reviewing LEA progress on meeting the requirements of any corrective actions on a monthly basis to ensure that all corrective actions are completed within the designated timelines and in no case more than one year from the date of identification.

4. Provide follow-up to LEAs to ensure they are moving toward completion of their corrective actions in the timeline given.

School Improvement/Compliance monitoring staff maintained frequent contact with the LEA throughout the compliance monitoring process. This allowed the compliance monitor to communicate with the LEA regarding the LEA's progress toward completing the corrective action requirements and to be responsive to the needs of the LEA for technical assistance and/or training.

5. Implement sanctions, as appropriate, to ensure LEAs complete required corrective actions.

The OPI did not have to implement sanctions against any LEA during FFY 2008. All findings of noncompliance were corrected in a timely manner and in no case more than one year from the date of identification. In general, LEA staff continued to be very responsive to taking the required corrective action steps.

6. The OPI will revise its compliance monitoring procedures to ensure that all instances of noncompliance are identified and corrected in a timely fashion.

Consistent with the guidance provided by the OSEP during the fall of 2008, the OPI undertook a revision of its compliance monitoring procedures. The OPI developed a process that allows it to quickly and clearly identify all incidents of noncompliance with the IDEA regulations and to notify LEAs of these instances of noncompliance in a manner that allows them to be corrected quickly. This system also more clearly documents all incidents of noncompliance and their subsequent correction by the LEA.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008

[If applicable]

1. Activity Completed: Improvement Activity #1: Revise Focused Intervention activities to better align with SPP indicators, has been completed. The revision of the Focused Intervention process was accomplished during the 2006-2007 school year.

Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 16: Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the state.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = [(1.1(b) + 1.1(c)) divided by 1.1] times 100.

FFY	Measurable and Rigorous Target
2008 (2008-2009)	100% of signed written complaints will have a final report issued within 60 days or within the timeline extension given for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the state.

Actual Target Data for FFY 2008 (2008-2009 School Year)

Table 16.1 below presents target data on written, signed complaints for FFY 2008 (2008-2009 School Year). The data is taken from Section A of *Table 7- Report of Dispute Resolution Under Part B, of the Individuals with Disabilities Education Act*.

Table 16.1 Written, Signed Complaints for FFY 2008

Table 7, Section A	Written, Signed Complaints	Number
(1.1)	Complaints with reports issued	2
(b)	Reports within timeline	0
(c)	Reports within extended timelines	2
$\% = (b+c) / (1.1)$	Percent of Complaint Reports Issued Within Timeline	100.0%

The Montana Office of Public Instruction received five written, signed complaints for FFY 2008 with three of those complaints withdrawn or dismissed. Target data indicate the two remaining complaints had reports issued within extended timelines.

Assessing State Progress in Meeting the FFY 2008 Performance Target

Table 16.2 Montana Performance Target Status For FFY 2008

School Year	Percent of Complaint Reports Issued Within Timeline	SPP Performance Target	State Performance Status
2008-2009	100.0%	100.0%	Met Target

For FFY 2008 (2008-2009 School Year), 100 percent of complaint reports were issued within the specific timeline. Therefore, Montana has **met** its performance target of 100 percent of written, signed complaints will have a final report issued within 60 days or within the timeline extension given for exceptional circumstances with respect to a particular complaint or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the state.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2008

The OPI continued to receive a low number of written, signed complaints. Generally, the Early Assistance Program (EAP) speaks with the potential complainant to provide information on the OPI dispute resolution procedures and offer EAP services. If informal resolution is not achieved, the OPI discusses the options of filing a due process complaint or a state complaint. If the party selects the state complaint procedure, the office provides the model state complaint form for completion and filing. Also, information on procedural rights, including the state complaint procedure, is available on the OPI Web site. Montana's Administrative Rules require the OPI to issue a Final Report within 60 days of filing. The OPI Legal Division/EAP calendars and monitors the timelines for resolution, usually with the hearing officer. Extensions may be granted for exceptional circumstances related to the particular complaint or when the timeline was modified during the EAP process.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008

[If applicable]

The indicator and target language in the State Performance Plan has been revised to align the indicator with regulations as outlined in OSEP's Part B SPP/APR Indicator/Measure Table.

Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 17: Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = [(3.2(a) + 3.2(b)) divided by 3.2] times 100.

FFY	Measurable and Rigorous Target
2008 (2008-2009)	100% of adjudicated due process hearing requests will be adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.

Actual Target Data for FFY 2008 (2008-2009 School Year)

Table 17.1 below presents the target data for due process hearings fully adjudicated within the 45-day timeline or properly extended timeline for FFY 2008 (2008-2009 School Year). The data is taken from Section C of *Table 7- Report of Dispute Resolution Under Part B, of the Individuals with Disabilities Education Act*.

Table 17.1 Percent of Hearings Full Adjudicated Within Timeline for FFY 2008

Table 7, Section C	Due Process Complaints	Number
(3.2)	Hearings (fully adjudicated)	0
(a)	Decisions within timeline	0
(b)	Decisions within extended timeline	0
% = (a + b) / (3.2)	Percent of Hearings Fully Adjudicated Within Timeline	0.0%

The Montana OPI received three due process complaints. All three were resolved without a hearing (Table 7, Section C, 3.3). Therefore, Montana has nothing to report for this indicator.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2008

The OPI continued to receive a low number of due process hearing requests. Generally, the Early Assistance Program (EAP) speaks with the potential complainant to provide information on the OPI dispute resolution procedures and offer EAP services. If informal resolution is not achieved, the OPI discusses the options of filing a due process complaint or a state complaint. If the party elects to file a due process complaint the OPI issues an initial order with stated timelines. The OPI Legal Division

staff calendar and monitor the time frames. The OPI requires a written motion for extension from a party.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines /
Resources for FFY 2008**

[If applicable]

The indicator and target language in the State Performance Plan has been revised to align the indicator with regulations as outlined in OSEP's Part B SPP/APR Indicator/Measure Table.

Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 18: Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = (3.1(a) divided by 3.1) times 100.

FFY	Measurable and Rigorous Target
2008 (2008-2009)	Based on the OSEP instructions, baseline or targets will not be established until the number of resolution sessions reaches 10 or greater.

Actual Target Data for FFY 2008 (2008-2009 School Year)

Table 18.1 below presents data for hearing requests that were resolved through resolution session settlement agreements for FFY 2008 (2008-2009 School Year). The data is taken from Section C of *Table 7- Report of Dispute Resolution Under Part B, of the Individuals with Disabilities Education Act*.

Table 18.1 Percent of Hearing Requests with Settlement Agreements for FFY 2008

Table 7, Section C	Resolution Sessions	Number
(3.1)	Resolution sessions	1
(a)	Written Settlement Agreements	1
% = (a) / (3.1)	Percent of Hearing Requests with Settlement Agreements	100.0%

The Montana Office of Public Instruction had one hearing request that went to a resolution session for FFY 2008. Guidance from the OSEP indicates states are not required to establish baseline or targets until the reporting period in which the number of resolution sessions reaches 10 or greater. Therefore, Montana does not need to establish a baseline or targets for this indicator at this time.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2008

Montana continues to have very low numbers of hearing requests. The OPI continued to offer its Early Assistance Program to help LEAs and parents resolve disagreements prior to the filing of a formal hearing request. Guidance from the OSEP indicates that baseline, targets and improvement activities do not need to be developed until such time as the number of resolution sessions reaches 10 or greater. Therefore, Montana does not need to establish a baseline or targets for this indicator at this time.

APR Template – Part B (4)

MONTANA
State

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008:

[If applicable]

No revisions were made to the State Performance Plan.

Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 19: Percent of mediations held that resulted in mediation agreements.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

Percent = [(2.1(a)(i) + 2.1(b)(i)) divided by 2.1] times 100.

FFY	Measurable and Rigorous Target
2008 (2008-2009)	Based on the OSEP instructions, baseline or targets will not be established until the number of mediations reaches 10 or greater.

Actual Target Data for FFY 2008 (2008-2009 School Year)

Table 19.1 below presents the data on mediations held that resulted in mediation agreements for FFY 2008 (2008-2009 School Year). The data is taken from Section B of *Table 7- Report of Dispute Resolution Under Part B of the Individuals with Disabilities Education Act*.

Table 19.1 Percent of Mediations Resulting in Agreements for FFY 2008

Table 7, Section B	Mediation Requests	Number
(2.1)	Mediations	3
(a)(i)	Mediation, related to Due Process, with agreements	2
(b)(i)	Mediation, not related to Due Process, with agreements	1
$\% = [(a)(i) + (b)(i)] / (2.1)$	Percent of Mediations Held Resulting in Agreements	100.0%

For FFY 2008, the OPI had a total of three mediation requests. One is a mediation, related to due process, that resulted in a written agreement and two mediations not related to due process resulted in a written agreement. Guidance from the OSEP indicates that states are not required to establish baseline or targets until the reporting period in which the number of mediations reach 10 or greater. Therefore, Montana does not need to establish a baseline or targets for this indicator at this time.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2008

Montana continues to have very low numbers of mediation requests. The OPI continued to offer its Early Assistance Program to help LEAs and parents resolve disagreements prior to the filing of a formal mediation request. Guidance from the OSEP indicates that baseline, targets and improvement activities do not need to be developed until such time as the number of mediations that result in agreements reaches 10 or greater. Therefore, Montana does not need to establish a baseline or targets for this indicator at this time.

APR Template – Part B (4)

MONTANA
State

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines /
Resources for FFY 2008**
[If applicable]

No revisions were made to the State Performance Plan.

Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 20: State-reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

State reported data, including 618 data, State Performance Plan, and Annual Performance Reports, are:

- a. Submitted on or before due dates (February 1 for child count, including race and ethnicity; placement; November 1 for exiting, discipline, personnel and dispute resolution; and February 1 for Annual Performance Reports and assessment); and
- b. Accurate, including covering the correct year and following the correct measurement.

States are required to use the "Indicator 20 Scoring Rubric" for reporting data for this indicator (see Attachment B).

FFY	Measurable and Rigorous Target
2008 (2008-2009)	<p>A. All reports will meet OSEP timelines 100% of the time.</p> <p>B. Reports submitted will be accurate 100% of the time</p>

Actual Target Data for FFY 2008 (2008-2009 School Year)

Montana used the Self-Scoring Data Rubric for Part B Indicator 20 to evaluate our performance in providing timely and accurate data for both the 618 data collection and APR indicators. Table 20.1 below is a summary table of the results taken from the scoring rubric. The Part B Indicator 20 Data Rubric is included with this document as part of the Appendix.

Table 20.1 Montana Score of Timely, Valid and Reliable Data for FFY 2008

APR Submission Score	618 Submission Score	Total Score	Indicator Percent
39	39	78	100.0%

For FFY 2008, the OPI submitted 618 data on or before the due dates for child count, personnel, education environment, exiting, discipline, assessment, and dispute resolution. Using the Part B Indicator 20 Data Rubric, Montana's percent for the submission of timely and accurate data is **100** percent.

All special education data collections are Web-based applications that are secure and require assigned user names and passwords to access. The electronic Web-based applications increase the accuracy of the data collected by using built-in validation checks that make reporting inaccurate data

more difficult to do. The electronic data validation checks control the values that can be placed in the fields in order to minimize data entry errors (e.g., birthdates are checked against reported setting of service codes and disability categories). In addition, manual checks are conducted to detect anomalies and any inconsistencies with the data prior to reporting. The manual validation checks include the use of year-to-year comparisons to detect increases or decreases in data of 10 percent or more (with a minimum N of 10). The OPI contacts LEAs with large changes or unusual findings to determine if errors in data collection or reporting occurred. All validation activities are documented, including any contact with LEAs or data changes for future reference. Further, procedures are in place within the data collection application to track LEA submission of the data to ensure that the data is complete and that all LEAs have submitted data by the collection due date.

The OPI provides a variety of ways for data providers to access guidance in reporting data. These include a comprehensive instruction manual for each application, on-line trainings either live or through the use of video-on-demand step-by-step training modules that walk the user through the application from beginning to end. In addition, a data dictionary containing written definitions of key terms is made available to all data providers. Further, OPI staff are available to provide assistance to LEAs throughout the reporting period.

Assessing State Progress in Meeting the FFY 2008 Performance Target

The data presented in Table 20.2 below is used to assess the state's progress in meeting its performance target for FFY 2008. The performance target for this indicator is twofold: a) all reports will meet OSEP timelines **100** percent of the time, and b) reports submitted will be accurate **100** percent of the time. The Part B Indicator 20 Data Rubric takes into account both timely submission and accurate data, providing a total score.

Table 20.2 Montana Performance Target Status for FFY 2008

Total Score	Indicator Percent	SPP Performance Target	State Performance Status
78	100.0%	100.0%	Met Target

For FFY 2008, the total score for submission of timely and accurate data is **100** percent and the established target is **100** percent. Therefore, Montana **has met** its performance targets for this indicator.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2008

Montana met its performance target of 100 percent for this indicator. Montana OPI staff continued their efforts to improve data collection and reporting.

Improvement Activities Completed

- 1. All special education data collections continue to be available for electronic submittal over the internet.**

All special education data collections are Web-based applications that are secure and require assigned user names and passwords to access. The electronic Web-based applications increase the accuracy of the data collected by using built-in validation checks that make reporting inaccurate data more difficult to do. The electronic data validation checks control the values that can be placed in the fields in order to minimize data entry errors (e.g., birthdates are checked against reported setting of service codes and disability categories). In addition, manual checks are conducted to detect anomalies and any inconsistencies with the data prior to reporting. The manual validation checks

include the use of year-to-year comparisons to detect increases or decreases in data of 10 percent or more (with a minimum N of 10). The OPI contacts LEAs with large changes or unusual findings to determine if errors in data collection or reporting occurred. All validation activities are documented, including any contact with LEAs or data changes for future reference. Further, procedures are in place within the data collection application to track LEA submission of the data to ensure that the data is complete and that all LEAs have submitted data by the collection due date.

In addition to the data validation procedures listed above, the OPI began to implement the Special Education Module of the AIM system during FFY 2008. As this system was rolled out to the LEAs training was provided to LEA staff to ensure accurate information was entered into the system. As the system becomes more populated with data over the next year, the OPI will be conducting dual data collections to allow for validation studies to compare data collected through the traditional methods with the data drawn from the AIM system to ensure the new data source provides valid and reliable data.

2. The OPI will implement a Web-based SIS, DW and SERIMS

The Office of Public Instruction (OPI) completed the third year of implementation of the statewide student information system, Achievement in Montana (AIM). This system is the general education record system that collects census, demographic and assessment data for all students. The Special Education Module is a tool within the AIM system that was developed by the special education division staff in collaboration with the software vendor. This module contains all special education forms and will serve as the data collection tool for special education. During 2008-2009, Special Education Division staff began providing training to Montana educators on the use of the Special Education Module. This training will be completed during the 2009-2010 school year. The LEAs will be required to use the Special Education Module for all documentation during the 2009-2010 school year.

3. Technical assistance and training will be provided to LEAs to ensure they understand how to submit their data.

The OPI provides a variety of ways for data providers to access guidance in reporting data. These include a comprehensive instruction manual for each application, on-line trainings either live or through the use of video-on-demand step-by-step training modules that walk the user through the application from beginning to end. In addition, a data dictionary containing written definitions of key terms is made available to all data providers. Further, the OPI staff is available to provide assistance to LEAs throughout the reporting period.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 *[If applicable]*

No revisions were made to the State Performance Plan.

Attachment 1: Part B Indicator 15 Worksheet**Instructions for Completing the B-15 Worksheet**

Indicator B-15 is to determine whether the State's general supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification (notification to the public agency that the State has concluded that the public agency is not complying with a statutory or regulatory provision). This indicator is measured as the percent of noncompliance corrected within one year of identification.

States are directed to reflect monitoring data collected through the components of the State's general supervision system, including on-site visits, self-assessments, local performance plans and annual performance reports, desk audits, data reviews, complaints, due process hearings, etc. Additionally, according to the OSEP Instructions for the Indicators/Measurement table, States are to group areas of noncompliance by monitoring priority areas and areas of noncompliance.

Key Terms

- **Monitoring Activities** are described in the document *Developing and Implementing an Effective System of General Supervision: Part B (January 2007)* and *FAQs Regarding Identification and Correction (August 2008)*. Specific activities of monitoring include, but are not limited to local education agency (LEA) self-assessments or local annual performance reports, data reviews, desk audits, on-site visits or other activities to ensure compliance.
- **Dispute Resolution: Hearings and Complaints** are also described in the General Supervision document referenced above. These include the tracking of timely correction of noncompliance identified through complaints and due process actions. States must include any noncompliance identified in a due process hearing decision, whether or not the parent prevailed in the hearing.
- **Finding** is defined as a written notification from the State to an LEA that contains the State's conclusion that the LEA is in noncompliance, and that includes the citation of the regulation and a description of the quantitative and/or qualitative data supporting the State's conclusion of noncompliance with the regulation.
- **Correction** is defined as the State requiring the LEA to revise any noncompliant policies, procedures and/or practices and the State verifies through follow-up review of data, other documentation and/or interviews that the noncompliant policies, procedures and/or practices have been revised and the noncompliance has been corrected. The State should notify the LEA in writing that the noncompliance is corrected. For purposes of the SPP/APR reporting, timely correction occurs when noncompliance is corrected as soon as possible but no later than one year from the identification of noncompliance.

Organization of the B-15 Worksheet:

- **The worksheet is organized by individual indicators or clusters of indicators.**
 - **Note:** When indicators are "clustered" the State does not need to report separately on each indicator in the cluster. Rather, the number of LEAs, numbers of findings, etc. should be grouped within that cluster.

- **There are five columns on the worksheet:**
 1. Indicator/Indicator Clusters
 2. General Supervision System Components
 3. Number of LEAs Issued Findings (including public agencies, such as correctional facilities and State schools that are not established as LEAs, e.g., school for the deaf)
 4. Number of Findings of noncompliance identified
 5. Number of Findings of noncompliance for which correction was verified no later than one year from identification
- **For each indicator/indicator cluster, there are two sub-rows that are repeated:**
 - Monitoring Activities
 - Dispute Resolution

Completing the Worksheet:

Column 1 - Indicator/Indicator Cluster Column - Lists the SPP/APR indicators individually or within a cluster of indicators. At the end of the worksheet, there are additional rows titled - *Other areas of noncompliance (can be grouped topically)*. These rows may be used by a State to list other areas of noncompliance that the State has not reported under other indicators/ indicator clusters. The State must list the area of noncompliance.

Column 2 - General Supervision Components Column – Represents all elements that comprise the State’s Monitoring Activities and Dispute Resolution processes. The first sub-row of Monitoring Activities may include Self-Assessment, Local APR, Data Reviews, Desk Audits, or On-Site Visits. This sub-row also has an “Other” option to indicate the list of monitoring activities may not be all inclusive. The second sub-row refers to the Dispute Resolution: Complaints and Hearings processes.

Column 3 - Number of LEAs Issued Findings of Noncompliance – Represents the number of LEAs for which the State identified through a written conclusion or report findings of noncompliance. The date of the written conclusion(s) or report of findings to the LEA is used to report the number LEAs monitored, not the date of the monitoring activity.

Notes:

- An LEA may have an onsite visit in one fiscal year and the written notification of findings of noncompliance is sent to the LEA in the next fiscal year.
- Federal Fiscal Year (FFY) begins July 1 of each year and ends June 30 of the next year.

Column 4 - (a) Number of Findings of noncompliance identified – Represents the number of identified findings of noncompliance for the indicator/indicator cluster. States must include every finding of noncompliance with a requirement of the IDEA in their data for Indicators C9/B15. The date of the written conclusion or report of findings to

the LEA is used, not the date of the monitoring activity. The same FFY date range is used for Column 3 and Column 4.

Column 5 - (b) Number of Findings of noncompliance for which Correction was Verified no later than one year from identification – Represents the number of findings from Column 4 for which the State verified correction no later than one year from identification.

Sum the numbers down Column 4 and Column 5.

Percent of noncompliance corrected within one year of identification – Divide the sum of Column 5 by the sum of Column 4 and multiply 100.

PART B INDICATOR 15 WORKSHEET

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2007 (7/1/07 to 6/30/08)	(a) # of Findings of noncompliance identified in FFY 2007 (7/1/07 to 6/30/08)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
1. Percent of youth with IEPs graduating from high school with a regular diploma. 2. Percent of youth with IEPs dropping out of high school.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	12	22	22
14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.	Dispute Resolution: Complaints, Hearings	0	0	0
3. Participation and performance of children with disabilities on statewide assessments. 7. Percent of preschool children with IEPs who demonstrated improved outcomes.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0
4A. Percent of districts identified as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0

APR Template – Part B (4)

MONTANA
State

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2007 (7/1/07 to 6/30/08)	(a) # of Findings of noncompliance identified in FFY 2007 (7/1/07 to 6/30/08)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
5. Percent of children with IEPs aged 6 through 21 -educational placements.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	2	4	4
6. Percent of preschool children aged 3 through 5 – early childhood placement.	Dispute Resolution: Complaints, Hearings	0	0	0
8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	9	13	13
	Dispute Resolution: Complaints, Hearings	0	0	0
9. Percent of districts with disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate identification.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	Dispute Resolution: Complaints, Hearings	0	0	0
11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	4	13	13

APR Template – Part B (4)

MONTANA
State

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2007 (7/1/07 to 6/30/08)	(a) # of Findings of noncompliance identified in FFY 2007 (7/1/07 to 6/30/08)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
conducted, within that timeframe.	Dispute Resolution: Complaints, Hearings	0	0	0
12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0
13. Percent of youth aged 16 and above with IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable student to meet the post-secondary goals.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	9	15	15
	Dispute Resolution: Complaints, Hearings	0	0	0
Other areas of noncompliance:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0
Other areas of noncompliance:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0

APR Template – Part B (4)

MONTANA
State

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2007 (7/1/07 to 6/30/08)	(a) # of Findings of noncompliance identified in FFY 2007 (7/1/07 to 6/30/08)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
Other areas of noncompliance:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0
Sum the numbers down Column a and Column b			67	67
Percent of noncompliance corrected within one year of identification = (column (b) sum divided by column (a) sum) times 100.			(b) / (a) X 100 =	100%

ATTACHMENT 2 - Part B Indicator 20 Data Rubric

SPP/APR Data - Indicator 20			
APR Indicator	Valid and Reliable	Correct Calculation	Total
1	1		1
2	1		1
3A	1	1	2
3B	1	1	2
3C	1	1	2
4A	1	1	2
5	1	1	2
7	1	1	2
8	1	1	2
9	1	1	2
10	1	1	2
11	1	1	2
12	1	1	2
13	*N/A	*N/A	0
14	*N/A	*N/A	0
15	1	1	2
16	1	1	2
17	1	1	2
18	1	1	2
19	1	1	2
		Subtotal	34
APR Score Calculation	Timely Submission Points - If the FFY 2008 APR was submitted on-time, place the number 5 in the cell on the right.		5
	Grand Total - (Sum of subtotal and Timely Submission Points) =		39.00

APR Template – Part B (4)

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State

618 Data - Indicator 20					
Table	Timely	Complete Data	Passed Edit Check	Responded to Data Note Requests	Total
Table 1 - Child Count Due Date: 2/1/09	1	1	1	1	4
Table 2 - Personnel Due Date: 11/1/09	1	1	1	N/A	3
Table 3 - Ed. Environments Due Date: 2/1/09	1	1	1	1	4
Table 4 - Exiting Due Date: 11/1/09	1	1	1	N/A	3
Table 5 - Discipline Due Date: 11/1/09	1	1	1	N/A	3
Table 6 - State Assessment Due Date: 2/1/10	1	N/A	N/A	N/A	1
Table 7 - Dispute Resolution Due Date: 11/1/09	1	1	1	N/A	3
				Subtotal	21
618 Score Calculation			Grand Total (Subtotal X 1.857) =		39.00

APR Template – Part B (4)

MONTANA
State

Indicator #20 Calculation				
A. APR Grand Total			39.00	
B. 618 Grand Total			39.00	
C. APR Grand Total (A) + 618 Grand Total (B) =			78.00	
Total N/A in APR			0	
Total N/A in 618			0	
Base			78.00	
D. Subtotal (C divided by Base*) =			1.000	
E. Indicator Score (Subtotal D x 100) =			100.00	
Note any cell marked as N/A will decrease the denominator by 1 for APR and 1.857 for 618				
* Call your State Contact if you choose to provide data for Indicators 13 or 14				

Attachment 3

OVERVIEW OF MONTANA'S STATEWIDE PERFORMANCE
FOR FFY 2008

Part B - State Performance Plan Indicators	State FY 2007	State FY 2008	State FY 2009	State FY 2010
1 - Graduation Rates	Met	Met	Met	Not Met (76.8%)
2 - Dropout Rates	Met	Met	Met	Met
3A - AYP Objectives		Met	Met	Not Met (8.8%)
3B.1 - Participation Rates in Reading		Met	Met	Met
3B.2 - Participation Rates in Math				Met
3C.1 - Proficiency Rates in Reading		Met	Met	Met
3C.2 - Proficiency Rates in Math				Not Met (27.8%)
4A - Suspension and Expulsion Rates	Met	Met	Met	Met
4B - Suspension and Expulsion Rates by Race/Ethnicity				
5A - Served in Reg Class > 80% of the day	Met	Met	Met	Met
5B - Served in Reg Class < 60% of the day	Met	Met	Met	Met
5C - Served in separate schools	Met	Met	Met	Met
6 - Preschool Settings	Met			
7 - Preschool Outcomes				
8 - Parents Report School Facilitated Involvement		Met	Met	Met
9 - Disproportionality - Race/Ethnicity		Met	Met	Met
10 - Disproportionality - Disability		Met	Met	Met
11 - Evaluations within 60 Days (100%)		Not Met (83.1%)	Not Met (91.1%)	Not Met (90.1%)
12 - Part C to Part B Transition (100%)	Met	Not Met (58%)	Not Met (71.5%)	Not Met (70.5%)
13 - Coordinated, measurable, annual Transition Goals (100%)		Not Met (63.6%)	Not Met (62.1%)	
14 - Post-school Outcomes			Met	
15 - General Supervision (100%)	Not Met (97.1%)	Not Met (97.9%)	Not Met (96.6%)	Met
16 - Resolved Written Complaints within 60 Days (100%)	Met	Met	Met	Met
17 - Hearing Requests Adjudicated within 45 days (100%)	Met	Met	Met	
18 - Resolution Session Settlement Agreements				
19 - Mediation Agreements				
20 - Timely, Valid, and Reliable Data (100%)	Met	Met	Met	Met